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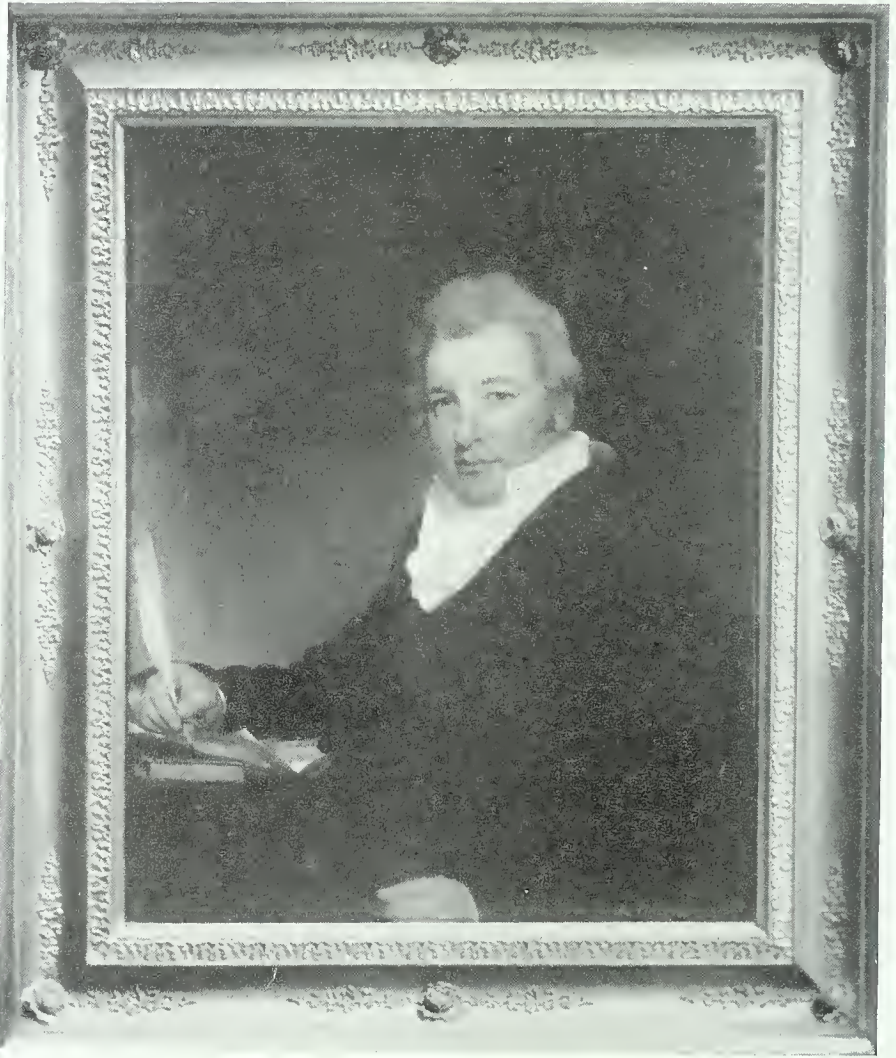
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SOLOMON ETTING, 1764-1847.

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SOLOMON ETTING¹

1764-1847

AARON BAROWAY

Among the most progressive citizens of the latter days of Baltimore Town and the earlier years of Baltimore City were a number of the members of the Etting family. They played a prominent part in the commercial and political life of the city. They did their share, on the one hand, to enable Baltimore to compete with the other growing American cities in the contest for leadership in our national expansion, and they took part, on the other hand, actively and unostentatiously in the social, political and religious life of the city. The most prominent member of the family was Solomon Etting, the subject of the following sketch.

Solomon Etting was a son of Elijah Etting, who was born in Frankfort-on-the-Main, Germany, in 1724, and came to America in 1758. In November, 1759, he married Shinah Solomon, the daughter of Joseph Solomon,² a merchant who

¹ This sketch was prepared at the suggestion of Dr. Harry Friedenwald. The author is indebted to Dr. Friedenwald and Dr. David S. Blondheim for much advice and aid regarding sources for material and the character of the article.

² The first inscription in the Hebrew Bible of the Etting family reads: "Shinah, the daughter of J. [Joseph, according to Etting family records]

had formerly lived in London and who was residing at Lancaster, Pa., at that time.³ It may well be that Elijah Etting lived in Lancaster, but there is not evidence to establish such a supposition. It seems that he lived in York, Pa., as early as 1763.⁴

Captain Alexander Graydon has left us in his *Memoirs*⁵ an interesting account of the family life at the parental home of Solomon Etting in York when Solomon was a boy of nine. In connection with the reminiscences of his six months' sojourn in York in 1773 he wrote:

"York, I must say, was somewhat obnoxious to the general charge of unsociableness under which Pennsylvania had always labored; or if I wrong her, I was not the kind of guest that was calculated to profit of her hospitality. Perhaps I approached her under unfavorable auspices, those of a young man debauched by evil communications; or perhaps there was want of congeniality between her manners and mine. Be it as it may, there was but a single house in which I found that sort of reception which invited me to repeat my visit; and that was the house of a Jew. In this I could conceive myself at home, being always received with ease, with cheerfulness and cordiality. Those who have known York, at this period I am speaking of, can not fail to recollect the sprightly and engaging Mrs. E. [Mrs. Elijah Etting], the life of all the gaiety that could be mustered in the village; always in spirits, full of frolic and glee, and possessing the talent of singing agreeably, she was an

& Belah Solomon, was born at Lanct. Dec. 24, 1744, and married Elijah Etting Nov. 1759." All of the inscriptions in the Bible were made by Solomon Etting, who has recorded among other facts that the Bible was the first to be used by his father. The Bible is now in the possession of Miss Eleanor S. Cohen (a great-granddaughter of Solomon Etting) of Baltimore.

³ Isidor Blum, *The Jews of Baltimore: A Historical Sketch* in *Jews of Baltimore*, Baltimore, 1910, p. 3.

⁴ The second inscription in the Etting family Bible reads: "Reuben, the son of Elijah and S. Etting, was born at York Town June 6, 1762. Anniversary in ye Hebrew to the 10th day of Sivan 5522."

⁵ Alexander Graydon (1752-1818), *Memoirs of a Life Passed Chiefly in Pennsylvania within the Last Sixty Years*, Harrisburgh, 1811, published anonymously, p. 95 *et seq.*

indispensable ingredient in the little parties of pleasure which sometimes took place and usually consisted in excursions to the Susquehanna, where the company dined, and when successful in angling, upon fish of their own catching. It was upon one of these occasions, the summer before I met her, that she attracted the notice of Mr. John Dickinson, the celebrated author of the *Farmers' Letters*.⁶ He had been lavish in her praise in the company of a lady of my acquaintance, who told me of it, and then inferred, how much I should be pleased with her when I got to York. I paid little attention to the information, having no conception that I should take any interest in the company of a married woman, considerably older than myself, and a mother of several children. The sequel proved how much I was mistaken, and essential to my satisfaction was female society; the access to a house in which I could domesticate myself, and receive attentions, not the less grateful from apparently being blended with somewhat material. The master of the house, though much less brilliant than the mistress of the house, was always good humored and kind; and as they kept a small store, I repaid as well as I could the hospitality of a frequent dish of tea, by purchasing there what articles I wanted.

“I can not take my final leave of York [continues Graydon a few pages further on] before mentioning, that I visited it again when congress held their sessions there in 1778. . . . The E———’s were not there, or at least I did not see them; and if my memory does not mislead me, the family had removed to Baltimore.”

Elijah Etting probably participated in the extensive trading with Indians which was being carried on at that time. The *Journal of the Continental Congress* shows under the date of November 11th, 1777, that the committee on treasury rendered a report and that thereupon a warrant for \$426⁶/₉ in favor

⁶ John Dickinson (1732-1808), *Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies*, published in the *Pennsylvania Chronicle*, 1766.

of Elijah Etting was issued in payment of Joseph Simon's order dated Lancaster, October 29th, for blankets delivered to Brigadier General Hard at Fort Pitt for the hospital at that place.⁷

Elijah Etting died at York on July 3rd, 1778.⁸ Of Shinah Etting a grandson wrote in his account of the "Oldest Jewish Family in Maryland:"⁹

"Shinah Etting (grandmother), widow of Elijah Etting, removed to Baltimore, Md., from York Town, Pa., in the month of September, 1780, two years after the death of her husband, and with her family resided at Mr. Joseph Donaldson's (on corner of Market and Gay Streets) until a house was built for her by Jas. Edwards, situated in Gay Street, opposite Gerard Hopkins (now General Ridgely's), to which she removed in 1782."¹⁰

She died in Baltimore on November 30th, 1822,¹¹ at the age of 77 years.

The children of Elijah and Shinah Etting were Reuben (1762-1848); Solomon (the subject of this sketch); Fanny (1764-1828; married Col. Robert Taylor); Kitty (1768-

⁷ Herbert Friedenwald, "Jews in the Journal of the Continental Congress," *Publications of the American Jewish Historical Society*, No. 1, p. 67.

⁸ From an inscription in the Etting family Bible.

⁹ This account is quoted by Blum, *supra*, p. 3. Mr. Blum told the author that the original manuscript of the account was loaned about ten years ago to him together with other papers of the Etting family by Miss Josephine Etting, a daughter of Samuel Etting and a granddaughter of Solomon Etting. Mr. Blum also told the author that he is under the impression that Miss Etting told him that the account was written by her father. After the death of Miss Etting a few years ago the family papers were distributed. Their location is unknown at present.

¹⁰ The title, the "Oldest Jewish Family in Maryland," is somewhat misleading. The Etting family is the oldest Jewish family in the state whose history can be traced with some thoroughness. There is evidence to the residence of Jews in Maryland as early as January, 1656. See *Jewish Encyclopedia*, art. *Maryland* and *Jacob* or *John Lumbrozo*, by Professor J. H. Hollander.

¹¹ From the epitaph on the tombstone in the Etting cemetery on West North Avenue, Baltimore.

1838); Hetty (1770-1847); Betsy (b. 1772); Sally (1776-1863); and Joseph (b. 1778).¹²

Solomon Etting, the second son, was born at York on July 28th, 1764.¹³ Nothing is known of his early life. He married Rachael, the daughter of Joseph Simon (also known as Simons), of Lancaster.

"Joseph Simons was one of the richest and most prominent traders in the province. He came to Lancaster about the year 1740, and at once embarked in the Indian trade. He also established a store at the southeast corner of Penn Square and subsequently another on the southwest corner. He made frequent trips to the Ohio and Illinois country. He also had an interest in several other stores in the Indian territory in connection with Gratz, Frank, Etting, Calender, Trent, and others. His real estate transactions were on a grand scale, and at one time he owned many thousands of acres of land. He was one of the twenty-two Indian traders who were attacked by Indians at Bloody Run in 1763, and lost a large amount of goods. He died at Lancaster in 1804."¹⁴ He took an active part in association with Barnard and Michael Gratz and others in the negotiations and activities connected with the French and Indian wars.¹⁵ He was one of the founders of the Pennsylvania Academy of Fine Arts.¹⁶

After his marriage Solomon Etting "removed to Lancaster and entered into partnership with his father-in-law under the firm name of Simon & Etting. They conducted a general merchandise business in a store room on the southeast corner of

¹² The dates are from the Etting Bible and epitaphs on tombstones in the Etting family cemetery.

¹³ The third inscription in the Etting Bible reads: "Solomon, the son of E. and S. Etting and born at York. July 28, 1764, annivry to the 28 Elull Hebrew 5524."

¹⁴ Ellis and Evans, *History of Lancaster County, Pennsylvania*, Philadelphia, 1883, p. 18.

¹⁵ Byars, "The Gratz Papers," *Pub. Amer. Jew. Hist. Soc.*, No. 23, p. 1 *et seq.*

¹⁶ Henry S. Morais, *The Jews of Philadelphia*, Phila., 1894, p. 25.

East King and Centre Square.”¹⁷ It was probably at Lancaster that Solomon Etting made his entry into the social and civic affairs of the community of his residence. The meagerness of available information about his life in Lancaster renders it difficult to follow him except in his relations with the Masonic fraternity. It is known that he played an important role in Masonic affairs; that he was a member of Sublime Lodge of Perfection in Philadelphia as early as 1781,¹⁸ and that on July 13th, 1785, he, “an Ancient Master Mason, was passed to the Chair, and thereafter received the degree of Secret Master and Perfect Master and on October 5th, 1785, that of Intimate Secretary;”¹⁹ and that Lodge 43, F. A. M., of Lancaster, to which a warrant had been granted April 21, 1785, was constituted by Solomon Etting, a charter member, who being at the time a Past Worshipped Master of some other lodge,²⁰ was deputized by R. W. Grandmaster William Adcock to constitute the lodge and install the officers, and that Solomon Etting was (the first) Treasurer of the lodge from 1785 to 1786, Junior Warden from 1788 to 1790, and Worshipful Master from 1790 to 1791.²¹

Rachael (Simon) Etting, wife of Solomon Etting, died January 14, 1790, and was buried in the old Jewish cemetery at Lancaster, where her tomb-stone is still to be found.²²

About the beginning of the last decade of the century there is some confusion among the dates of the events of Etting's life at that time. According to the account of Elijah Etting's grandson, Solomon Etting “came to Baltimore from York in

¹⁷ This is an excerpt from a quotation made by Samuel Oppenheim, “The Jews and Masonry,” *Pub. Amer. Jew. Hist. Soc.*, No. 19., p. 48, from George R. Welchans, *History of Lodge No. 43, F. & A. M., Lancaster, Pa.*, 1875, p. 109.

¹⁸ Oppenheim, *supra*, p. 41.

¹⁹ *Ibid.*, p. 44.

²⁰ Henry Necarsulmer, “The Early Jewish Settlement at Lancaster, Pennsylvania,” *Pub. Amer. Jew. Hist. Soc.*, No. 9, p. 31, quotes Ellis and Evans, *supra*. My information is from Necarsulmer's quotation.

²¹ Oppenheim, *supra*, p. 48.

²² Necarsulmer, *supra*, p. 33, who cites the epitaph.

1789 ”²³ at the age of twenty-five. It seems more probable that he did not come to Baltimore until at least two years later if we are to determine the date on the basis of earlier documents which tell us, first, that his wife was buried at Lancaster early in 1790, second, that he was elected to an office among the Masons at Lancaster in June, 1790, and, third, that it is inferred from the records of the Masonic Lodge that he moved from Lancaster at the time that his office of Worshipful Master expired in 1791.²⁴ Before coming to Baltimore, Etting, it seems, settled in Philadelphia.²⁴

Writing of Solomon Etting in Baltimore the grandson says that he “commenced the hardware business in a store on South Calvert Street,²⁵ where he pursued the same business until the years 1805-06,²⁶ when he purchased a house on Market Street [Baltimore Street] between Howard and Eutaw streets (owned and built by Jas. West), where he removed to (then engaged in a general shipping and commercial business) and in which house he resided until May, 1841, when he purchased the house on West Lexington Street, No. 4 Pascault Row, where he resided until the time of his death.”²⁷

It was probably about the time of his arrival in Baltimore that Etting married Rachel Gratz,²⁸ born 1764, a daughter of

²³ Blum, *supra*, p. 3.

²⁴ Oppenheim, *supra*, p. 48, quoting Welchans: “He [Etting] afterwards removed to Philadelphia and finally to Baltimore. . . . He was elected Junior Warden [of the Lancaster Lodge] in 1788, serving as such until June, 1790, when he was elected Worshipful Master, filling that office for one year, when he withdrew from the lodge and removed to Philadelphia.” This is the only reference to Etting’s residence in Philadelphia.

²⁵ *Baltimore Town and Fell’s Point Directory, First Edition*, Balto., 1796, p. 25: “Etting, Solomon, merchant, 15 So. Calvert st.” and “Etting, Reuben, dwelling, East [now Fayette] st., between Calvert and Gay sts.”

²⁶ *The Baltimore Directory*, 1804, records that Solomon Etting’s dwelling was situated on Baltimore Street facing (North) Howard Street. *The Baltimore Directory*, 1807, records that Solomon Etting’s business was located at 247 Baltimore Street and his dwelling at 280 Baltimore Street.

²⁷ Blum, *supra*, pp. 3 and 4.

²⁸ The time of the marriage to Rachel Gratz is inferred from the date of birth—September 18, 1792—at Baltimore of Richea Gratz Etting, the eldest child of this marriage about whom data are available. The date is from

Barnard Gratz. Reuben Etting, the elder brother, moved to Baltimore about this time or a few years later.²⁹ Both brothers entered actively into the public life of the city. Reuben joined the military organization known as the "Sans Culottes," and was made a lieutenant. Later, when preparations for a war with France were being made in 1798, and the corps was being recruited, its name was changed to the "Baltimore Independent Blues" and Reuben was chosen captain.³⁰ This corps was long under his command. It grew very much in numbers, was divided into companies, and was later made a part of the Fifth Regiment of Maryland Militia.³¹ Reuben was appointed United States Marshal for Maryland by President Jefferson in 1801, succeeding Jacob Greybell and serving until his removal from the city a number of years later.³² He died in Philadelphia on June 3, 1848.³³

Solomon Etting seems to have entered immediately upon his

the epitaph on the tombstone of Richea Gratz Etting in the West North Avenue cemetery.

²⁹ Thomas J. Scharf, *The Chronicles of Baltimore*, Balto., 1874, p. 267, mentions Solomon Etting, but does not mention Reuben Etting, in the list of twenty-five prominent persons who moved to Baltimore in the ten years prior to 1793. The earliest record of Reuben Etting in Baltimore is in the *Directory* for 1796, *supra*. The *Directory* for 1799 records:

"Etting & Kennady, milliners, S. Calvert st. 11.
Etting, Reuben, dwelling ditto."

The *Directory* for 1800 and 1801: "Etting, Reuben, merchant, counting house, Lovely Lane." The *Directory* for 1802: "Etting, Reuben, marshal of the District of Maryland, 12 North Gay st."

³⁰ Scharf, *supra*, p. 248.

³¹ From Solomon Etting's answers to Col. Worthington's queries, *infra*.

³² *Ibid.*; Scharf, *supra*, p. 276.

³³ George A. Kohut, "The Oldest Tombstone Inscriptions of Philadelphia and Richmond," *Pub. Amer. Jew. Hist. Soc.*, No. 6, p. 110. Benjamin H. Hartogensis, "Unequal Religious Rights in Maryland," *Pub. Amer. Jew. Hist. Soc.*, No. 25, p. 95: "Reuben Etting . . . and others had fought with distinction in the defense of Baltimore City, September 12, 1814." This statement by Mr. Hartogensis is not corroborated by Wm. M. Marine, *The British Invasion of Maryland, 1812-1815*, Baltimore, 1913, or Solomon Etting's answers to Col. Worthington's queries, *infra*, or Leon Hühner, "Jews in the War of 1812," *Pub. Amer. Jew. Hist. Soc.*, No. 26. See *Jewish Encyclopedia*, Vol. VIII, p. 361a.

arrival in Baltimore into the communal activities to which he devoted himself during the remaining fifty-five years of his life. His earliest participation in affairs of a political nature of which there is a record is connected with the meeting of Baltimoreans held July 27, 1792, to give unified expression to their disapproval of the treaty which Jay had concluded with Great Britain. A committee composed of David McMechen, Solomon Etting, Alexander McKim, David Stodder, James A. Buchanan, Adam Fonerden, and John Steel was appointed to forward to President Washington the resolutions which were adopted by the meeting.³⁴

From the fact that Etting and Levi Solomon, his uncle, formally acquired possession in 1801 of the plot of land that was first used in Baltimore as a Jewish burial ground it is to be inferred that he was also at an early date and even during the earlier part of his life a leading spirit in the matters that affected his Jewish brethren. The cemetery, which was situated in the block bounded by Harford Avenue, Monument Street, Jew Alley (a blind alley running north from Monument Street between Ensor Street and Harford Avenue), and Abraham Street (a lane connecting Jew Alley and Harford Avenue), had been set aside for burial purposes at least fifteen years earlier. It is mentioned among "Mr. Carroll's Claims," a document dated 1786. Inasmuch as a Jewish congregation had not been officially recognized by the State of Maryland at that time, the Jewish congregation of Baltimore, if there was one, could not possess the land, and it was, therefore, necessary for one or more individuals to acquire the title to the land. It was conveyed from Charles Carroll, William McMechen and John Leggett to Solomon Etting and Levi Solomon in 1801. "The Jews' Burial Ground," as it was designated, was in use until 1832.³⁵ About the same time that Etting and Solomon received the title to the Monument Street cemetery, their family began to use as a family burial ground a small plot of land

³⁴ Scharf, *supra*, p. 262.

³⁵ Blum, *supra*, p. 4.

on the north side of North Avenue about sixty yards east of Pennsylvania Avenue. Most of the Ettings of Baltimore, a number of their relatives, and a few other Jews of Baltimore are buried here. The earliest grave, that of Barnard Gratz, dates from April 20th, 1801; the latest grave is that of Richea Gratz Etting (a daughter of Solomon Etting), who died June 19th, 1881.

Though it is not entirely clear when the Baltimore Water Company actually began to operate, it is known that Etting was among those who incorporated the company. Scharf, in his *Chronicles of Baltimore*, tells us (pp. 295-6) that "at an election held on the 24th day of May [1804] for directors of the Baltimore Water Company, the following gentlemen were duly elected to serve till the first day of May, 1805: John McKim, Sr., Solomon Etting, T. A. Buchanan, John Donnell, Jonathan Ellicott and William Cooke" and (p. 303) that "in November [1808] William Cooke, John McKim, James A. Buchanan, John Donnell, Solomon Etting, James Mosher, Jonathan Ellicott, John Hollins and other citizens formed themselves into a company known as the 'Baltimore Water Company.'" ³⁶

During the War of 1812, at the time when an attack upon Baltimore by the invading British forces was imminent, Etting was active in the preparations to defend the city. He was elected to represent the First Ward in the General Committee of Vigilance and Safety which was organized August 23, 1814. Under the date of August 28th, the minutes of the committee state that "Mr. Etting, Mr. Taylor and Captain Stevens be and they are appointed to provide a hospital or suitable accommodations for the sick and wounded in the force that are and may be called out for the defense of the city and to report to this committee at the next meeting." Etting was also a member of a sub-committee that was formed for the purpose of waiting

³⁶ *The Baltimore Directory* for 1814-15 states that the Baltimore Water Company was incorporated in 1808. It also includes Etting among the directors.

on the Quartermaster General and tendering to him their aid and the aid of the committee in providing suitable accommodations for soldiers.³⁷ Samuel Etting, a son of Solomon Etting, was a private in Captain Joseph H. Nicholson's company of Baltimore Fencibles. The Baltimore Fencibles fought in the defense of Baltimore, September, 1814, as part of the First Regiment of Artillery, which was under the command of Lieutenant Colonel David Harris. Young Etting was slightly wounded while his company was "on detachment at Fort McHenry September 13, 1814."³⁸

Amid the records of Solomon Etting's mercantile activities which stand out most prominently during his earlier years in Baltimore, the most interesting, even though the most incomplete, is his correspondence with Robert Fulton. The circumstances which gave occasion to the correspondence have not been brought to light at the time of this writing. It is not entirely safe to venture among the possibilities that may have caused the proposal to build a war vessel in Baltimore, because, first, there is only one letter, an answer from Fulton to a letter written by Etting, second, the condition of the manuscript of that letter is such as to render uncertain whether the date of the letter is 1814 or 1816, and, third, the possibilities are so numerous in the early days of steam navigation as to make impossible a conclusive choice of them. If the later date is correct—and it seems more likely that 1816 is the correct date—the construction of the vessel may have been connected with the Government's program to build an American navy; if the earlier date is correct, the ship may have been intended for the War of 1812. The original manuscript of the letter, which is owned by Miss Eleanor S. Cohen and was entrusted by her to the Library of Congress as a permanent loan in 1917, reads as follows:

³⁷ Marine, *supra*, pp. 133, 139 and 141.

³⁸ Marine, *supra*, pp. 173 and 280. Hühner, *supra*, states that Samuel Etting's name appears on the muster roll of citizen-soldiers who were at North Point and Fort McHenry on Sept. 12, 1814.

New York Nov 26th 1816 [1814]

Solomon Etting Esq

Dear Sir

Yesterday morning I received your favor of 22 In' And am happy to learn that you have at Baltimore many conveniencies for constructing a steam Vessel of War. In placing the funds at the disposal of the United States what is the amount? is it 150000 for her hull and machinery or 225,000 for her total outfit?

In such a work one or two load of my Models must be sent from hence for the castings. One of the Messrs Browns must go to superintend the construction of the hull he having the required experience. Also some of my workmen to construct the Boilers and Machinery Are those arrangements to be left to the secretary of the navy and to me, or is your committee to treat with me on this subject?

What will be the cost of copper per *pound* for her boilers? 25 tons will be required?

What the price of wrought Iron shafts per pound weighing from 500 lb to 2½ tons?

What the Cylander and hollow castings per pound from 500 lb to 2½ tons each?

How much solid castings such as wheels pinions. beams & Pillow blocks per pound.

How much per pound for brass castings such as Valves Valve seats and gudgion boxes.

On your intended steam Vessel of war I have not yet heard from the Secretary of the Navy.

I am Sir very respectfully

Your most Obedient

Robert Fulton

In 1816 Solomon Etting was appointed a member of the commission that was designated to survey and lay off streets, lanes, and alleys in the territory that had latterly been added to the city. The other members of the commission were John E.

Howard, William Patterson, William Gibson, William Lorman, George Warren, Owen Dorsey, George Winchester, James Mosher, Joseph Townsend, and Henry Tompson.³⁹ The work of this commission is still remembered through the several streets which were named at that time or shortly later after the various members of the commission. Etting Street, hardly more than an alley, runs between Druid Hill Avenue and Division Street from Hoffman Street to North Avenue.⁴⁰

Solomon Etting was one of the leading spirits in the movement to influence the Legislature of Maryland to enact the Jew Bill. In the later attempts to have the bill adopted he was associated with Benjamin I. Cohen, Jr. Etting furnished the data about the Jews in America used by Colonel (later Governor) W. G. D. Worthington in an important speech before the House of Delegates on the Confirmatory act January 28th, 1824.⁴¹ In October, 1826, the effect of passage of the Jew Bill

³⁹ Scharf, *supra*, p. 31.

⁴⁰ An extension of Etting Street runs for a hundred yards north of Whitelock Street between Francis Street and Woodbrook Avenue and ends in a blind alley. City Librarian Coyle of Baltimore states that the name of Etting Street appears for the first time on a plat of Baltimore made by Poppleton in 1818.

⁴¹ W. G. D. Worthington, *Speech on the Maryland Test Act 1824*, Baltimore, 1824, pp. 17, 18 and 19: "I wrote on a small scrip of paper some half dozen queries, and requested Solomon Etting, Esq., to have them faithfully and truly answered. . . . This is Mr. Etting's original statement, which I will read through as it is written:

SOLOMON ETTING'S ANSWERS TO COL. WORTHINGTON'S QUERIES.

Question 1st.—The number of Jews in the State of Maryland?

Answer—Supposed, at least, *one hundred and fifty*.

Ques. 2d.—The wealth of Jews in the State of Maryland?

Answer—General wealth difficult to ascertain; among a few heads of families, we may estimate *half a million of dollars*.

Ques. 3d.—The number of Jews in the U. States?

Answer—At least estimate, six thousand.

Ques. 4th.—The wealth of the Jews in the U. States?

Answer—This is equally difficult to ascertain with question 2d. Among the *heads of families*, in the principal cities, we may fairly estimate the wealth at *ten millions of dollars*.

was seen when Etting and Cohen were elected to the First Branch of the City Council of Baltimore. They were the first Jews to be elected to office in Maryland. Later Etting was elected president of the First Branch of the City Council.⁴² Scharf has recorded (p. 422) that "Mr. William Patterson offered to the corporation [the City of Baltimore] by letter dated 24th of January [1827], two squares of land on Hampstead Hill, with additions since known as 'Patterson Park,' for the use of the citizens as a public walk," and that "on the 1st of March it was resolved to accept the same and Jacob Small, Mayor, and Solomon Etting, President of the First Branch of the City Council, and Philip Moore, President of the Second

Ques. 5th.—What offices have been held, or are now held by members of the profession?

Answer—To enumerate these, in detail, would be extremely tedious and difficult; we will mention a few within immediate recollection.

John Burk [this name is intended for that of Solomon Bush; see *Jewish Encyclopedia*, Vol. II, p. 433]—Colonel in the American Revolution, a distinguished officer who died after the revolution of wounds received, or effects arising out of them.

There were many valuable members, *officers, principally*, in the revolution, from the South chiefly, who were nearly all cut off and destroyed early in the war; they were ever at their posts, and always foremost in hazardous enterprises.

Reuben Etting—Marshall of Maryland, appointed by Mr. Jefferson, and who continued in office until his removal from the state.

Ditto—Captain of a volunteer corps, raised very early in Baltimore, long under his command, and grew so numerous as to require being divided into companies and thrown into the 5th regiment of Maryland militia.

Solomon Etting—Captain 5th regiment of Maryland militia, appointed by Governor Paca.

B. I. Cohen—Lieutenant in Columbian Volunteers, attached to the 5th regiment of Maryland militia, appointed by Charles Ridgely, of Hampton, Esq."

Col. Worthington continues, p. 33: "I know an instance: Mr. Etting, of Baltimore, had a son of talents and acquirements: he spared no pains on him. The Youth wished to study Law. The Father, with pain in his heart and tears in his eyes, told him he could not. *Even to be an Attorney in a County Court, he would have first to renounce the religion of his father.*"

⁴² Scharf, *supra*, p. 420.

Branch City Council, tender the thanks of the citizens through the corporation for his generous and liberal gift."

Etting was one of the founders of the Baltimore and Ohio Railroad. He was probably among the twenty-five persons who met at Alexander Brown's house, February 12, 1827, "to take into consideration the best means of restoring to the city of Baltimore that portion of the Western trade which have lately been diverted from it by the introduction of steam navigation and other causes." The problem was considered, a committee was appointed to prepare a plan to the desired end, and the meeting adjourned until February 19th. At the second meeting the report of the committee was accepted, and the following gentlemen were appointed a committee to prepare an application to the legislature of Maryland for an act of incorporation: Charles Carroll of Carrollton, Philip E. Thomas, William Patterson, William Lorman, Isaac McKim, George Warner, Robert Oliver, Benjamin C. Howard, Charles Ridgely of Hampton, Solomon Etting, Thomas Tennant, W. W. Taylor, Alexander Brown, Alexander Fridge, John McKim, Jr., James L. Hawkins, Talbot Jones, John B. Morris, James Wilson, Luke Tiernan, Thomas Ellicott, Alexander McDonald, George Hoffman, Solomon Birkhead, and William Stewart. The men composing this committee number twenty-five, and there is little doubt that they are the twenty-five who met the previous week.⁴³ At the elaborate ceremonies held at Ellicott City, July 4th, 1828, to celebrate the beginning of the construction of the road, a stone was set and in it there was placed a hermetically-sealed glass cylinder containing copies of the first records of the road. A scroll among the latter concludes: "And the construction of the road commenced July 4th, 1828, under the management of the following Board of Directors: Philip Evan Thomas, president, Charles Carroll of Carrollton, William Patterson, Robert Oliver, Alexander Brown, Isaac McKim, William Lorman, George Hoffman, John B. Morris, Talbot Jones, William Stewart, Solomon Etting, Patrick Macaulay, George Brown, treasurer."⁴⁴

⁴³ *Ibid.*, p. 447.

⁴⁴ *Ibid.*, p. 428.

When the United States Senate was considering the tariff bill early in July, 1823, a rather heated debate occurred between Senators Clay, Webster and Hayne. Reference was made to lobbyists, and because there was some difficulty in naming lobbyists specifically, Clay arose to speak his mind, and named Moses Myers, the Jew. The debate, it seems, received some publicity, and Clay's reference to "the Jew" was not well received in some quarters. Etting heard of the remark and wrote the following letter to Clay, with whom, it would seem, he was acquainted: ⁴⁵

Baltimore, July 15th, 1832.

Dear Sir: You know that I am your friend, and therefore I write you freely. Several of the religious societies to which I belong, myself included, feel both surprised and hurt by the manner in which you introduce the expression "the Jew," in debate in Senate of the United States, evidently applying it as a reproachful designation of a man whom you consider obnoxious in character and conduct.

I do not know the person you allude to, the term "The Jew" as used by you, is considered illiberal. If therefore, you have no antipathy to the people of that religious society, I can readily believe you will have no objection to explain to me by a line, what induced the expression.

I am, with respect and esteem,

Your Obt. St.

S. ETTING.

HON. H. CLAY,

United States Senate, Washington.

Clay wrote the following reply:

Washington, 16th July, 1832.

My dear Sir: I regret extremely to perceive from your letter of yesterday, that you have thought it possible that a remark of mine, applied to a subordinate officer of the Customs

⁴⁵ Walter H. Liebmann, "The Correspondence between Solomon Etting and Henry Clay," *Pub. Amer. Jew. Hist. Soc.*, No. 17, p. 81 *et seq.*

who was in attendance here, was liable to an unfavorable interpretation in respect to the Jews generally. Nothing could have been further from my intention. The remark was intended to describe a person, and not to denounce a Nation. It was strictly, moreover, defensive. Some of my friends who were in the Senate had been attacked by Genl. Hayne, as I thought, rudely for the assistance which they had rendered about the Tariff.

In reply I said they were not the only persons attending on that object, but that on the other side, Moses Myers (or Myers Moses, for I do not yet know his proper designation), had been summoned by the Secretary of the Treasury, and might be seen daily skipping about the house; and I proceeded to describe his person, &c.

I judge of men, not exclusively by their Nation, religion, &c., but by their individual conduct. I have always had the happiness to enjoy the friendship of many Jews, among them one of the Gratz's of Lexington, formerly of Philadelphia, stands in the most intimate and friendly relations to me; but I cannot doubt that there are bad jews as well as bad christians and bad mahometans.

I hope, my dear sir, that you will consider this letter perfectly satisfactory.

With great regards, I am,

Truly yours,

SOLOMON ETTING, ESQ.

H. CLAY.

Etting was the president of the board of commissioners for repairing the Court House. When the ceremony for laying the cornerstone of the proposed City and County Record Office at the southeast corner of Lexington and St. Paul Streets was held Wednesday morning, June 28, 1836, Etting, assisted by the venerable Mayor, General Samuel Smith, formally set the stone in the presence of a large number of persons among whom were Chief Justice Taney and the judges of the various courts.⁴⁶

⁴⁶ Scharf, *supra*, p. 489.

Rachel (Gratz) Etting, the second wife of Solomon Etting, died December 21st, 1831, and was buried in the family cemetery on West North Avenue. The epitaph upon the tomb stone over her grave reads:

Peace to Departed Souls
 Sacred
 to the Memory of
 RACHEL ETTING
 Wife of Solomon Etting
 Departed This Life
 21 December 1831
 Age 67 Years 2 Months 12 Days
 A Kind Affectionate
 Wife & Mother
 Her Worth & Excellence
 Will Be Ever Remembered
 by Her Disconsolate
 Husband and Children

Solomon Etting died August 6, 1847. He was buried in the family cemetery on West North Avenue. The following inscription is engraved on the monument which marks his grave:

Peace to Departed Souls
 Sacred
 to the Memory of
 SOLOMON ETTING
 Son of
 ELIJAH AND SHINAH ETTING
 Born at York, Pa.,
 on the 28th of July 1764
 Departed This Life in Baltimore
 on the 6th Day of August 1847
 Age 83 Years and 9 Days
 A Devoted Husband and Father
 His Life Was Adorned by Every Virtue
 and His Death That of the Righteous

His Worth and Excellence
Will Ever Be Remembered by His
Bereaved & Afflicted
Children

Only an intimate acquaintance with facts of Etting's life can enable us to appraise the worth of the man accurately. The documentary evidence that is available is not sufficiently abundant, nor is it sufficiently fertile, to offer us anything like a complete picture of the man in the perspective of the seventy-three years which have elapsed since his demise. It must suffice for us to sum up the life of the man in the statement of the Masonic historian and in the paragraph of a contemporary. The historian of the Masonic Lodge, No. 43, has left us this summary:

"He was a man of sterling integrity, of great wit and drollery and was beloved and respected by a large circle of friends and acquaintances. He was distinguished for his considerable and indiscriminate charities and was in his old age affectionately hailed by all as 'Father Etting.'"⁴⁷

The following was published in the *Baltimore Sun*, August 9th, 1847:

"*Death of Solomon Etting.*—Our obituary column today records the death of this venerable citizen, at the age of eighty-three. Mr. Etting was a native, we believe, of York, Pa., but has resided in Baltimore for about sixty years. During the whole of that period, up to a month of his death, his career was one of unwearied activity. He possessed, in the most eminent degree, that first of civic virtues, public zeal, and his name is connected with every important enterprise which looked to the promotion of the city's prosperity. His judgment was sound and clear above that of most men; his habits of business were models of industry; and his integrity, impartiality, and rigid sense of justice, were never doubted or suspected. Although long past eighty years of age, he was chosen president of the

⁴⁷ Oppenheim, *supra*, p. 48, quoting Welchans, *supra*, p. 109.

board of control and review, under the new assessment of real and personal estate, and continued, until confined to his bed, to discharge the responsible duties of the important post with an industry, fidelity and perspicacity most remarkable, indeed, in one so aged, but perfectly characteristic of him. In his family and social relations, Mr. Etting was equally worthy of honor and imitation.”⁴⁸

IN MEMORIAM

COMPILED BY ALICE E. HASWELL

IV

ROSCOE CONKLING LEONARD, COXSWAIN U. S. N. R.

Born at Cambridge, Md., September 29, 1889.

Drowned at sea, April 11, 1918.

To Roscoe Conkling Leonard belongs the honor of having been the first man to enlist from Dorchester County.

He was the son of Ivy C. Leonard and Mollie V. Leonard with whom he resided. The family was a large one, composed of three brothers and four sisters all prominently concerned in the affairs of Cambridge. After completing a course at the High School, he left his home town to enter a business college so that he might be the better prepared to engage in business as a partner in the firm of I. L. Leonard & Company, where he remained until he volunteered his services in defense of his country. He was a member of the Masonic Order and always active in the workings of his lodge.

In April, 1917, the call to the colors sounded forth. In keeping with his splendid character, Roscoe C. Leonard almost immediately responded; he enlisted July 14th in the U. S. N. R.; was assigned to a training station and later to the U. S. S. S. “Lake Moor.” The ship sailed sometime in March, 1918. The rest we have from the Annual Report of the Secretary of the Navy:

⁴⁸ “Patriot,” *Sun*, Balto., Aug. 9, 1847, p. 2.

"U. S. S. Lake Moor—Torpedoed by German submarine 11.20 P. M. on April 11, 1918. Survivors picked up by British vessel *Corbett* and landed at Belfast, Ireland." Roscoe Conkling Leonard was numbered among the missing.

Such is the simple narrative of the life of one of the heroes of the war, for his devotion to duty made him as brave as those who fell in battle; he, too, made the supreme sacrifice.

There was very little authentic information for his relatives and friends; some said he was seen clinging to a log until his strength gave out, others that he had been taken up by a life-boat which afterward capsized, but he has a permanent record in the history of his country and written indelibly on the minds of those who knew him.

Memorial services were held in the late summer of 1918, at Cambridge, a beautiful monument being unveiled in Green Lawn Cemetery by the Mayor of the town and the Masonic Order. The cause for which he died proved not to be a vain one, for these men in blue helped the army across to accomplish a purpose and we know their lives were not given for naught.

WILLIAM JOSEPH H. WATTERS, First Lieutenant, 313th Infantry, 79th Division.

Born in Baltimore, November 27, 1880.

Killed in action, Montfaucon, France, September 29, 1918.

President Wilson has called these men who went to a far country to fight for a just cause, "Crusaders," and Lieut. Watters was surely one that deserved the title.

After his marriage in 1908 to Miss Hannah Tyson of Melvale, Md., he purchased the Brick House Farm in Howard County where he resided with his wife and two children, William, Jr., and Hannah Ann Tyson.

The record of "Billy" Watters is particularly fine. He was beyond military age and could have claimed exemption because of a dependent family; he turned his back on his personal interests and did not even wait for a promised commission, but enlisted December 10, 1917, in the Infantry so that he might

get to the front sooner; the next day he was made a sergeant, and on July 16th received his silver bar.

"Sometime" during the first of July, 1918, the great transport Leviathan steamed majestically out of the New York harbor, arrived safely at Brest and the 313th was sent to Champlitte for a period of intensive training. It was on the night of September 13th that they went to the front line. Then came zero hour—5.30 A. M., September 26, 1918; they were told to take Montfaucon and they *did*.

Lieut. Watters had been appointed Aide to General Nicholson, commanding officer of the 79th Division, but when they were given orders to advance he asked to be allowed to go over the top with the men. He was sent out to reconnoiter and was killed by shell fire September 29. The spot where he fell marks the farthest advance made by the 313th; so close were they to the German line the men could see the enemy artillery at work.

His citation reads: "Lieut. Watters (deceased), Three Hundred and Thirteenth Infantry. For personal heroism in action near Madeleine Farm, on September 29, 1918. He led his platoon in its advance on Montfaucon; his personal bravery was conspicuous throughout the action and particularly so on September 29th."

In the church in which he has been accustomed to worship. St. John's, Howard County, a memorial window is to be placed by his friends in the community in which he lived.

JAMES PEARSON LOVE, Corporal, Company E, 9th Infantry, 2nd Division.

Born at Lonaconing, Allegany County, March 10, 1895.

Killed in action, Chateau Thierry, France, June 7, 1918.

James Pearson Love was the son of Mrs. Mary Love of Lonaconing, Md., and one of three brothers in a family of nine. After an education acquired in the public schools of his home town he secured a position with the Pulp and Paper Mill of Luke, Md., and later when the Lonaconing Glass Factory was put into operation he was assigned to the position of foreman

of the lehrs, a very trustworthy position. After several years with this company he became connected with the Georges Creek Coal Company, and continued this work until his enlistment in the service.

Because of his engaging and cheerful nature he had a host of friends, and through his entire life, whether in sport or work, or afterward in fight, he was always on the job. He became a member of Valley Council, No. 26, Jr. O. U. A. M., when 16 years old, and received the honors of Past Councillor, July, 1914.

He enlisted July 18, 1917, in the Ninth Infantry, Company E, was ordered to Fort Slocum, New York, and sailed for France September of the same year. He remained in the same command throughout.

An abstract from a letter written by Lieut. C. E. Frampton to Corporal Love's sister, Miss Minnie Love, tells the rest very well: "On the night of June 7th our company was supporting an attack made by another company when we came under a bit of heavy shell fire. It was a moment when men showed their worth and it is with great pleasure that I am able to inform you that your brother acted with the utmost courage and bravery. He was mortally wounded, but was conscious when evacuated to the hospital. He died after reaching the hospital. He did not suffer greatly as the shock of the wound numbed his sense of feeling. He died as he had lived, a brave, fearless boy, smiling in the face of everything.

"I first became acquainted with your brother on November 12, 1917, when I joined the Company. I reported for duty and he was assigned as my Runner, a position of trust and responsibility. He acquitted himself so favorably that he was recommended as corporal and when he received his promotion he proved worthy of the trust. He became a capable and efficient non-commissioned officer and his loss was a real blow to the Company as well as a sad one to his friends."

This is how he came to become numbered among those who "Went West," giving his life bravely and gladly in defense of his country.

PHILIP EMIL WEIGAND, Corporal, Company D, 6th Battalion,
20th Engineers.

Born in Baltimore, April 2, 1895.

Drowned at sea, February 6, 1918.

Philip Emil Weigand was the son of Mrs. Barbara A. Weigand of 4005 Garrison Avenue, Baltimore, Md.

After completing his general education he entered the Maryland Agricultural College, being especially interested in the canning industry. Having had some training in forestry he was prompted to adopt that branch of the engineer service. Prior to this he had acquired a route ownership on the "Sun," doing earnestly and efficiently everything he undertook to do.

He enlisted in the Forestry Engineers, December 7, 1917. His first assignment was Company A, 3rd Battalion, 20th Engineers, American University, Washington, D. C., but he was subsequently transferred to Company D, 6th Battalion, and promoted to Corporal.

On January 23, 1918, the "Tuscania" sailed. Weigand's unit having been ordered to Hoboken earlier in the month he was one of those who answered "here" at roll call when the men boarded the ill-fated ship. After an uneventful voyage the transport reached the dangerous zone. At 5.50 P. M., February 5th, it was torpedoed off the north coast of Ireland. Corporal Weigand got off in the lifeboat assigned to him, but about 2 A. M. this was shattered on the rocks surrounding the Isle of Islay, Scotland. His body was recovered the next day and, with the other dead, he was buried with full military honors by the survivors at Kilnaughton, Islay, on the 9th of February, his body being laid in Trench No. 3 and Lair No. 38.

A beautiful bas-relief by Hans Schuler dedicated to the memory of Philip Emil Weigand has been placed in the main room of the Sun Building; it bears this inscription, "A comrade faithful unto death." He is in a brave company, too, for the memorials to Robert Morris Armstrong and George Seriah Katz are on either side.

WILLIAM J. KEATING, Captain Machine Gun Battalion.

Born in Texas, Md., October 31, 1894.

Killed in action, near Molleville Farm, France, October 27, 1918.

William J. Keating was the son of John H. Keating and Mary A. Keating.

Since the death of his parents during his childhood he lived in the household of his oldest brother, Raymond M. Keating, 2104 Atlantic Avenue, Baltimore, Md. In 1912 he was graduated from Loyola High School, where he attracted the attention of his teachers by the quickness and retentiveness of his mind.

After leaving school he obtained a position in the engineering department of the Roland Park Company. He was a prominent and enthusiastic member of the Knights of Columbus.

When in 1917 the call to patriotism sounded forth he enlisted in the old Machine Gun Company of the 5th Regiment, M. N. G. His rise in the service was remarkable in its rapidity,—from first-class private to sergeant was a matter of only two months, and when selections were made from his division for men to attend the Third Officers' Training Camp he was examined and passed on his own record.

May 10, 1918, he was assigned to Company A, 111th Machine Gun Battalion. Later his transfer to the Machine Gun Company of the 114th Infantry caused an almost complete separation from his former associates. He sailed for France with his division from Newport News, Va., June 15. There was hard work ahead in France and hard fighting, too. Only three weeks after his previous promotion he was chosen to wear a captain's insignia. He was in the most terrific of the fighting around Verdun; how well he did his part can be but poorly expressed in an official citation:

"Captain William Keating (deceased), 114th Infantry. For extraordinary heroism in action near Molleville Farm, north of Verdun, France, October 27, 1918. While he was in command of the Machine Gun Company of his regiment, and every avail-

able gunner had been killed or wounded, Captain Keating personally manned one of the guns and kept it in operation until killed." He could have signalled "Can't fire barrage; all my men are casualties," but this he scorned to do.

He was awarded the D. S. C. for extraordinary heroism in action.

JAMES EDGAR POTTS, Private, 1st Class, 117th Trench Mortar Battery, Rainbow Division.

Born January 24, 1894.

Killed in action, Luneville, France, March 9, 1918.

A native of Queen Anne's County, he spent his boyhood at Church Hill and received his early education in the schools of that town. When his mother died he was adopted by an elderly lady, Miss Julia Clark, his father's cousin. She took him to her home in Church Hill, where she lived with her two brothers, and always regarded him as her special charge.

A few years ago he left their home at Betterton and came to Baltimore. During the spring of 1917 he enlisted in the Maryland Coast Artillery, 3rd Company.

On August 14, 1917, the "Rainbow Division" came into existence, and they called upon Maryland for a Trench Mortar Battery; the men were picked from the Coast Artillery Battalion, James E. Potts being one of the first selected. As a unit of the Rainbow Division, the 117th Trench Mortar Battery sailed October 18, 1917, and after a dangerous voyage—for submarines were numerous at that time—they landed in France, October 31st.

Only three months elapsed before they were ordered to the front—the Luneville Sector, known to the folks at home as the "Quiet Sector." On March 9th the entire Rainbow Division, assisted by the French, went over the top. It was then the 117th suffered its first loss—the first Marylander to die in action—Private James E. Potts, who died at his gun.

The Croix de Guerre for valor in action was awarded to his guardian, Miss Julie Clark.

When the Battery came home it came without Private James E. Potts, Corporal J. Blankford, Private Harry P. Cushen, Private Franklin A. Landram, Electrician George Clark, and Corporal Dupont Wolf. They lie sleeping under the poppies in France.

A legion post, the "James Edgar Potts Post, No. 22," has been named in his honor.

THE LIFE OF THOMAS JOHNSON

EDWARD S. DELAPLAINE

PART FOURTH

CHAPTER VII

At the close of the French and Indian War, the Ohio Company had sent George Mercer, son of the secretary of the company, to London to seek a renewal of the charter. He remained in England about six years and succeeded in accomplishing practically nothing. In the meantime, Thomas Walpole, a man of wealth and political influence, Samuel Wharton, a merchant, John Hanbury, Governor Thomas Pownall, Benjamin Franklin and others became interested in a plan to secure a grant of land from the Crown for a buffer colony, Vandalia, beyond the Alleghany Mountains. Before returning to America, young Mercer finally accepted an offer to combine with the Walpole Company, but this plan the Ohio Company rejected.

Although the colonists in the North were seeking to open a communication through a course other than the Potomac, George Washington continued to keep faith in the Potomac River as the most practicable means of connecting the Atlantic coast with the western settlements. In 1772 he secured an act of the Virginia Assembly for opening the river. Writing to

Rev. Dr. Boucher from Mount Vernon, on May 4th, 1772, Washington said: "An act has passed this session empowering Trustees (to be chosen by ye Subscribers to the Scheme) to raise money by way of Subscriptions & Lottery, for the purpose of opening & extending the Navigation of Potowmack from the Tidewater, to Fort Cumberland; & for perpetuating the Tolls arising from vessels to the Adventurers in the Scheme—but ye execution of it must necessarily be suspended till something similar passes into a Law in your Province." And Thomas Johnson exerted himself to secure the passage by the Maryland Assembly of a similar measure, but failed on account of the opposition of Baltimore merchants.

In the spring of 1772, John Ballendine, of Fairfax County, Virginia, and George Mason were rendering yeoman assistance to Johnson and Washington. The two men were endeavoring to arouse interest in the Potomac enterprise among the subjects of Maryland and Virginia. Governor Robert Eden, who had arrived in Annapolis a few years before, was appealed to by Delegate Thomas Johnson and other prominent men for aid, but young Sir Robert was timid about the proposition, apprehensive that the passage of an act by the Maryland Provincial Assembly similar to the Virginia measure might impair the Proprietary's legal title to the bed of the river.

In the following letter to Washington, Mr. Johnson declares that an appeal for help ought to be made to the Crown:

Annapolis, 10th May, 1772.

Sir:

Mr. Tilghman the Speaker of our House of Assembly, not being in town I could not procure a receipt from him. I sent you one from myself for £6. as recd. for his use if that is not sufficient I will get one from himself and inclose it to you: as soon as I have an opportunity.—I inclose you a receipt from the Clerk of the Upper House and another from the Clerk of the Lower House for £3. each. I thought there was the like fee to

the President of the Upper House as to the Speaker but on inquiry finding myself mistaken I return you 16 Dollars.

Mr. Ballendine has been here two or three days but Mr. Mason has not yet come. I fear our Governor is still under an impression that a concurrence by our Assembly in a scheme with yours for clearing Potowmack may weaken the proprietary claim of jurisdiction over that River and consequently that he is not at liberty to assent to such Bill tho' I believe in his own judgment clearing the River is an object which deserves immediate attention and that he wishes to see it effected. If the Governor should be under such impression and should not write home to be set more at large or should write unsuccessfully as the delay that might be thereby occasioned would at all events be highly prejudicial I would submit to your consideration whether it might not be prudent that a strong representation should be sent to England, to be made use of in case it should be necessary, to procure an intimation from thence that a Bill ought to pass here. If instructions ought at all to be sent to Governors as the rule of their conduct, I have no idea but that proppr [proprietary] instructions might properly be superseded by instructions from the King in Council and if so I cannot apprehend there would be the least difficulty in obtaining an order for the passage of a Bill in which the Trade and Subjects are so much interested though it might possibly collaterally affect the proprs [proprietary's] claim of jurisdiction. I shall be glad that our Governor's letters to Virginia may evince that my apprehensions are groundless but if my conjectures are well founded I must wish that no time may be lost.

I am Sir

Your most obedient Servant,

Th^s Johnson, Jun^r.

Just how often Washington and Johnson consulted together concerning their Potomac plans has not been disclosed. But it is certain that by means of letters they kept in constant touch with each other, and it is furthermore quite likely that they

met frequently for personal conferences on the subject. In the autumn of 1772, they met in Annapolis at the mansion of Governor Eden. Col. Washington came over to the capital of Maryland to attend the races; and in his diary he explains how he won five pounds in one of the races at Annapolis. Washington's equipage reached the State House circle at twilight on a beautiful Sunday evening early in October. He proceeded to the executive mansion, the fine, old colonial home, erected in the seventeenth century by Edmund Jennings. Mr. Elihu S. Riley, in his "Annapolis; Ye Antient Capital of Maryland," gives a picturesque description of the meeting of Washington, Thomas Johnson, Charles Carroll of Carrollton and other patriot leaders on the 5th of October, 1772. The day after Washington's arrival, after a quiet dinner, when the lamps were lit and the curtains drawn, "the great knockers of the front door, in almost periodic intervals, began to ring out a caller. First, Thomas Johnson was announced, and then Daniel Dulany, and afterwards Charles Carroll of Carrollton, William Paca, Samuel Chase, and Jeremiah T. Chase, John Rogers and Allen Quynn. A notable company—three signers of the Declaration of Independence, yet to be writ; one the man in the near future to nominate Washington to be Commander of the Continental armies; the last royal Governor of the province of Maryland; Dulany, the prodigy of the Colonial bar; and the other the immortal Washington himself." Whilst this visit to Annapolis was a social one, and although politics—a topic looked upon in the colonial days as uncongenial for a social gathering—was not discussed at the mansion of Governor Eden, it is highly probable that Washington and Johnson discussed at length the Potomac River enterprise during this gay week at Annapolis.

In the following year the Maryland Assembly appropriated £3,000 to improve the Western roads and Delegate Thomas Johnson, Jr., was selected one of seven commissioners to superintend the work and to disburse the money. An explanation of the status of this project and the backwardness of the movement

to establish "water carriage" in the Potomac is presented in the following letter sent by Thos. Johnson, Jun., Esq., to Colo. George Washington, Mount Vernon," shortly before the last session of the Provincial Assembly: ¹⁶

Annap^o, 21. Febr'y. 1774.

Sir

A Servant just now delivered me your Letter of yesterday and told me he was to go out of Town in a few Hours. I expect Mr. Calvert will be here tomorrow or the next Day at farthest by whom I imagine I may contrive you a more particular and satisfactory answer than I can instantly—If you have the Instrument by which Mr. Adams engaged his Vessel for your Security or a copy of it I should be obliged to you if any opp^{ty} offers with^t any extraordinary Trouble that you would send it to me.—Your Attachment was received—instantly on the Return of it.

I have a particular pleasure in your approbation of our Grant of £3000 for the Western Roads—the comm^{rs} are left very much at large mislead we were not well enough acquainted with the circumstances of the country to be very precise in directing the expenditure of the Money—I have the Hon^r to be one of seven intrusted in laying out the Money and am so far from a self sufficiency in the matter that I shall most gladly receive any information on the Subject—permit me to assure you I think myself honored by any mark of your confidence or attention and that instead of thinking your Hints unseasonable I should be very much obliged by an enlargem^t on the Subject—I made a show of pushing for a further sum for improving the River with a View to secure more certainly the £3000 for the Road for some people look on any Thing less given than requested as so much saved. We had a smart struggle for the 3000 £ but I have not been idle since. I have been endeavouring and I hope with success to impress my Ideas of

¹⁶ *Washington*, Manuscript Division, Library of Congress, Vol. xiv, 1798.

the advantages and practicability of water carriage. We are to have a session about the 20th of next month and I now expect we shall then do something effectual—I am determined never to cease trying till some thing is done—As soon as the Bill passed I took my measures to give an Impression in the Back Country that the laying out the money on the Road was left much in the Discretion of the Courts who would govern themselves much by the spirit and exertion of the Back people. I have the pleasure to understand it has so far answered my Expectation that 4 or 500 £ is already subscribed to be laid out in assisting with the Road. I wish there may be a Surplus not that I think any saving in £3000 is of much consequence to the Province but if any Thing is saved I think there will be no Difficulty in getting the Application changed to the River.—If I was less interested in Carriage from above and an early communication with the Back Country I dare say I should be better attended to but being fully satisfied of the general advantage of cheap and early carriage through Potowmack it would be a false Delivery now to attempt a public Good for fear of suspicion of my being actuated solely by private Interest.—I purpose to write you fully by Mr. Calvert—and remain

Sir

Your most obed^t humble Serv^t,

Th^s Johnson, Jun^r.

Back in 1772, Mr. Ballendine had concocted a scheme to outwit Washington and Johnson and their associates by seeking subscribers in London to a plan of his own during the height of the Walpole Company bubble. But his efforts in England did not prove successful, for in 1774 we find him back again in the Colonies seeking subscribers among the prominent gentlemen of Maryland and Virginia. In the *Maryland Gazette*, September 8, 1774, he announces that he has just arrived from Great Britain “with a number of engineers and artificers in order to remove the obstructions to the navigation of the Potowmack River at and above the Lower Falls,” and that he is desirous

of having a meeting of his principal subscribers at George Town to lay before them "an accurate plan and estimates of the expence, also an Act of the Virginia Assembly, and likewise a subscription from some of the principal proprietors, &c. of the Province of Vandalia now residing in England, for the further encouragement of the proposed undertaking."

On the 10th of October, 1774, Thomas Johnson, George Washington and other prominent gentlemen of Maryland and Virginia assembled at George Town to enter into a discussion of the Potomac enterprise. At this meeting the following pledge¹⁷ was signed:

"We the subscribers, have considered John Ballendine's plan and proposal for clearing Potowmack River and do approve it; to enable him to set about that useful and necessary undertaking we do hereby agree and promise severally to contribute such assistance or pay such sums as we respectively subscribe to the trustees named in said proposals, or to their order, at such times and places and in such proportions as shall be required for the purpose of clearing said river. Witness our hands this 10th. day of Oct. 1774.

"N. B. As nothing effectual can be properly done for less than £30,000, this subscription is not binding unless the value of £30,000 Pennsylvania currency, be subscribed."

A total of £8,000, in the various currencies in use at that time, was subscribed at the meeting. George Washington headed the list with a subscription of £500, Virginia currency. Charles Carroll of Carrollton followed with £1,000 at 7.6. Speaking of this meeting, Mrs. Bacon-Foster says that Thomas Johnson was present and David Ross, for the Frederick Company, subscribed the sum of £400 but whether the "Frederick Company" was the company organized by Mr. Johnson in 1770 is questionable.

Mr. Ballendine appointed the following men to serve as Trustees "to adjust and settle all matters" relating to the movement to open the Potomac:

¹⁷Hugh Taggart *Old Georgetown*, Columbia Historical Society, May 13, 1907.

Maryland—Thomas Johnson, Jr., Lancelot Jacques, Daniel Carroll, Thomas Cresap, Jonathan Hager, Charles Beatty, John Hanson, Jacob Young, Adam Stewart, Thomas Richardson, Robert Peter, John Murdock, William Deakins, John Cary, James Marshall, John Stall, David Ross, Thomas Johns, Richard Thompson, and Dan. and Sam. Hughes.

Virginia—George Washington, George Mason, Thompson Mason, Bryan Fairfax, William Ellzey, John Hough, Isaac Lane, Robert Rutherford, Daniel McCarty, William Ramsey, Robert Adam, Abraham Hite, Joseph Neville, John Carlyle, Joseph Janney and John Dalton.

In the issue of October 25, 1774, of the *Maryland Gazette*, Mr. Ballendine announced the approval of the "plan and estimate for opening the navigation of Potowmack River above the Falls," and the appointment of the Trustees, and requested the Trustees to meet at George Town to elect "a small and convenient number of the Trustees which shall be a committee to act for the whole."

A number of trustees met in December, 1774, first at George Town and on a later day at Alexandria and authorized Mr. Ballendine to hire 50 negroes during 1775 to dig canals around the falls of the Potomac. In an announcement, dated December 22, 1774, printed in the *Virginia Gazette*, January 14, 1775, Mr. Ballendine issues the following notice:

"At a meeting of the Trustees for opening the navigation of Potowmack River held at George Town Dec. 1, 1774, Thos. Johnson, Jr., Attorney-at-law, Wm. Deakins, Adam Stewart, Thos. Johns, Thos. Richardson, of Georgetown, merchants; Wm. Ellzey, Robt. Alexander, Philip Alexander of Virginia present, who ordered and directed that the subscriber should on the credit and at the risk of the above named Trustees hire fifty slaves to labor in cutting the canals around the several Falls of said River; and at another meeting of Trustees for the purpose aforesaid held at Alexandria 19th inst., present Geo. Washington, John Carlyle, John Dalton, Wm. Ramsay, Gentlemen of Virginia together with many of the Trustees at the former meeting, who recognized & approved of the order

for hiring fifty slaves and agreed to become equally liable. In consequence of which order of the Trustees I hereby give notice that I want to hire negro men for the ensuing year for the purpose above mentioned. Any person inclining to hire the whole or any part of them may see the proceeding of the said Trustees subscribed with their respective hands in my custody."

This advertisement seemed to indicate that the first real step had at last been taken and that the work of clearing the Potomac would begin immediately under Mr. Ballendine's direction. But Thomas Johnson realized, if no one else did, the difficulties that confronted the undertaking. He knew the opposition that had arisen in Central Virginia to the Potomac bill in the House of Burgesses and he saw opposition on every hand in Maryland. Bitter jealousies existed in Maryland, on account of rivalry for the Western trade, between people of George Town and the Baltimore merchants. Not that Thomas Johnson or George Washington were lacking in leadership. They were as able as any other men in America to cope with the situation. There were none in the South who had greater influence. That Colonel Washington and Mr. Johnson were intimate friends at the beginning of the year 1775 and that their personal friendship as well as the high degree of influence they possessed in their respective colonies were generally known at this time—this seems to be indicated by the contents of the following communication which the Annapolis lawyer wrote to Mount Vernon as a letter of introduction:

Annapolis, 17 Jany. 1775.

Sir:

Mr. Normand Bruce of our province has lately done me the favour of shewing me some very pretty samples of Hempen Lint and Tow raised and prepared in his own family without the help of a Mill or any such Engine and gave me the Reading a Manuscript pamphlet on the subject.—

His drift is to persuade people in general to manufacture COARSE Linnens in earnest, to shew that Hemp is the proper

material for us to rely on much in preference of Flax on many accounts, and to give the necessary directions to effect it. —

From my knowledge of the Gent. I can rely on what he asserts as facts and so far as I can judge I think his observations and directions will prove very useful. Something of the kind is necessary with us and I suppose with you. He wishes for your encouragement of a work so well intended and requests the favour of you to advise him if you think any number of copies could readily be disposed of in your parts.—

His not being personally acquainted with you prevented his writing to you himself and induced me to join him in his request,

I am Sir

Your most obed^t h^{ble} Servant

Th^s Johnson, Jun^r.

But Thomas Johnson was firmly convinced that unless the Provincial Assembly of Maryland loaned money to the people who were favorable to the movement, they would not be able to give sufficient assistance. In the following letter, Mr. Johnson explains to Washington that times were hard, that he himself was unable to raise any cash without selling a part of his estate and that other people were in the same predicament:

Annapolis, 24 Jany. 1775.

Dear Sr.

Our printer assuring us in his last weeks paper that there would be a further prorogation of our Assembly and the very doubtful state of American affairs induced me to think that nothing would probably be attempted in your Assembly the ensuing Session. This morning about 11 o'clock I received your two letters by Mr. Stewart dated the 20 instant and this afternoon Mr. Ballendine came to see me on the subject of them.

I should have needed nothing more than your desire to have waited on the Gent. at Alexandria on Thursday if it was in my power but I am so circumstanced that I cannot oblige you. My

time has been lately so much engrossed with Committee business and things of the kind that I have been obliged for a week or ten days past to be plodding over my Law Affairs every opportunity with more than common assiduity and I shall with great difficulty be able to get my Terms pleading done by the last day of this month against which day they must be finished. I believe owing to an anxiety which I cannot quiet on public matters I am in but an indifferent state of health nor could I, if for that reason alone, just now undertake the proposed journey with tolerable convenience. I had resolved therefore to send you off my thoughts tomorrow which I do by Mr. Ballendine though the time will not allow me to reduce them to the full draft of a Bill and despairing of ever seeing Potomac made navigable on the plan I most wished it you may depend on my best endeavours to get a Bill passed here similar to yours whether upon giving a free simple in fiat and invariable tolls or having the tolls ascertained anew from time to time with only to a limited profit per cent in the cost and repairs of the work or giving a term only with a still higher profit. I may possibly be insensibly led by my own particular interest to view the advantages of navigation on the River as more general and extensive than I ought but I really believe if I had not a foot of land above the falls I should be as warm a friend to the scheme. Unless our Assembly will so far assist us as to emit a sum of money for loan to the subscribers I do assure you I do not think that those on our Side who would most willingly subscribe will be able to do anything clever. I myself am in such a situation that I cannot raise any sum of money without selling a part of the very Estate to be benefited by the scheme on very low terms at present and many with whom I have spoke on the subject are circumstanced as myself. I should think nothing of risking a good deal and might prudently do it all chances considered but in these times many want to borrow and but few to lend money. I do not know where 500 £ could be got on the Secty of 5000.

General Lee's plan has been delayed some time for a plate.

I am told it is now nearly done and I hope to have the pleasure of sending you some copies soon.—There has been more alacrity shewn by our people than I expected but we are but illy prepared with arms &c. I am apprehensive that the vigilance of the Govt. at home will make it necessary for us to turn our thoughts towards an internal supply of materials.

I am s^r with the greatest Regard

Your most obed^t Servant

Th^s Johnson, Jun^r.

About a month later Mr. Johnson wrote Washington that there were some "rogues" who were scheming to have the delegates from Anne Arundel County instructed by their constituents to vote against any and all bills that might be introduced on behalf of the Potomac. Mr. Johnson's statement in this letter that although he was "much averse from engaging in a more active way in politics," he would nevertheless "endeavor to counteract such proceedings," shed a true light upon his character. He was not anxious to "play" politics, but he did not hesitate to try to counteract insidious political influence, if he felt by so doing he was promoting the public weal.

This letter—in which he also inquires how Col. George Mason is progressing with the work of framing the Potomac River bill and moreover offers to draft it himself, if Washington so requests—is as follows:

Annapo, 25 february 1775.

Sir

Mr. Jacques last night communicated to me your letter to him. I sent to the post Office early this morning and got your letter from thence of the 2d inst. Mr. Stewart generally sends me those letters when the postage is paid but omitted this which is the occasion of my not having answered it.—

Your suspicion or rather information that Adams is wasting the timber I am apprehensive is too well founded. Major Jeni-

fer's Discourse intimated as much as if he suspected or had heard the same and he promised to interfere as far as he could to prevent it. If Daniel J. Adams will not make a Conveyance of the Lands or his sisters are determined not to quit their pretensions to the Land which was not conveyed to old Adams in his lifetime you will not be able to obtain a Remedy but in our Chancery Court the delay and trouble of pursuing which to save only about 100 £ of your debt after an advance of near 500 £ Sterl more appears to me to be scarce worth your while. But I cannot think but Major Jenifer will, as he always said he would, prevail on the sisters to do you justice and if his endeavors should not succeed I dare say it will be owing to the bad conduct of D. J. Adams himself and the influence he may have on his sisters. Our adjourned provincial Court is to sit the second Tuesday of next Month when I shall make use of the oppty of talking with Major Jenifer and Mr. Stone together and will inform you of what passes on the subject.—The Loans in our Office are not for the 10 or 12 years that the money circulates. The borrowers may pay in as soon as they please and the Consols are left at discretion to call in any particular Loan when they please whilst the securities remain good. They have not called in any but securities may by the Act pay the money at any time they please have an assignment of the bond for their use and stand in the same advantageous state as the consols themselves. If the money has been actually paid into the Office, I think you would be obliged to an immediate repayment; if the Bond has been only changed, I suppose the Consols would permit another change of the Bond and so discharge the person whose name has been made use of. I am very sorry that this business of Adams has given and is likely to give you so much trouble and you may be assured S^r that it would be with very great pleasure to myself that I could oblige you in this or anything else.

General Lee's plan and directions are not yet done. If they are not likely to be soon finished I'll have a manuscript copy made for you—it is but short—from what I hear it is designed

our Assembly should sit about the last of March. Against that time I should be glad to have through Mr. Calvert's hands or any other convenient conveyance Col. Mason's estimate, his remarks and the other pages I sent you by Mr. Ballendine. I shall in a day or two go to Baltimore and there hope to learn exactly what opposition is intended to our late Road Law or Potowmack; from what I have yet heard I expect some narrow designing men intend to get the people of Baltimore and a part of this as well as of Frederick County to petition for a repeal of the Road Law or to have such alterations made as will render it ineffectual—I have heard too that the rogues intentions for this Country are to be instructed by their constituents to vote against any improvement of Potowmack but I do not believe that the people in general of this County are weak enough to be led into any Resolution which could reflect so much on themselves. If I am mistaken and such an instruction should be really made it will greatly embarrass me. I am much averse from engaging in a more active way in politicks, but if petitions or instructions should be solicited either against the improvement of our Roads or the River I must endeavour to counteract such proceedings. If an attempt should be made against either the Roads or River I wish both may be attacked at once which will explain the motive as it truly is to shut out the Back people altogether from a Market. I shall most thankfully receive information of any further thoughts that may have occurred to you or Col. Mason relative to clearing Poto. and the draft of the Bill itself if Col. Mason has made it and if not I shall with pleasure do it as well as I am able—You will excuse Mr. Jacque's silence and my taking up the subject of your letter to him, as his lame arm will scarcely allow him to write his name.

I am s^r

Your most obed^t hble Servant

Th. Johnson, Jun^r.

Col. Mason finished the Potomac bill early in March, 1775, and forwarded it to Mount Vernon for Washington's inspection. In his letter to Washington, dated March 9, 1775, Col. Mason

says: "I have at last finished the Potomack River Bill; which I now send you, together with some very long remarks thereon; and a letter to Mr. Johnson; into which you'll be pleased to put a wafer when you forward the other papers to him. I also return the Act of Assembly, and Mr. Johnson's Notes, which you sent me. This affair has taken me five times as long as I expected; and I do assure you I never engaged in anything which puzzled me more; there were such a number of contingencies to provide for, and drawing up Laws a thing so much out of my way. I shall be well pleased if the pains we have bestowed upon the subject prove of any service to so great an undertaking; but by what I can understand, there will be so strong an opposition from Baltimore, and the Head of the Bay, as will go near to prevent its passage thro' the Maryland Assembly, in any shape it can be offered."

But the Maryland Assembly had long since adjourned. When the provincial lawmakers disbanded on the 19th of April, 1774, they separated for the last time in the history of the proprietary government. Consequently, Col. Mason's work was in vain. And Delegate Thomas Johnson never had the opportunity to present the Potomac River bill to the Provincial Assembly.

This was the *status* of the project to open the Potomac to navigation when George Washington was nominated by Thomas Johnson at Philadelphia, on June 15, 1775, as Commander-in-Chief of the Army. And Washington thereupon hastened to Massachusetts to assume command of the continentals.

Thomas Johnson had prophesied correctly. The Potomac scheme had failed on account of the inaction of the Maryland Assembly. This is the reason given by John Ballendine in a public announcement in the *Virginia Gazette*, October 28, 1775. He admits herein that while he endeavored, "at the earnest solicitation of many gentlemen on Potowmack and influenced by my own interest on that river," to open its navigation and underwent considerable expense in preparation for the work, the failure of the Maryland Assembly to pass an act coöperating with the one passed in Virginia obliged him to discontinue the

work on the Potomac for the present. Mr. Ballendine thereupon gave his attention to the promotion of navigation of the River James.

But the lowering of the war clouds brought to an end all efforts for public improvements. The terrible struggle which followed the affair at Lexington drew the public mind to military objects of supreme importance. Thomas Johnson, as Revolutionary War Governor, and George Washington, as General, were deeply engrossed in the patriotic cause. Thus, for the ensuing decade, the efforts of Thomas Johnson and George Washington to promote "water carriage" on the Potomac River were entirely suspended.

REVERDY JOHNSON PAPERS IN THE LIBRARY OF CONGRESS

By BERNARD C. STEINER.

The Library of Congress has recently purchased from the estate of the late Charles Goldsborough Kerr, Jr., a number of manuscripts, being papers of his grandfather, the late Reverdy Johnson, Esq., which were not accessible nor known to exist at the time I wrote Mr. Johnson's life. Although they do not alter any of the main outlines of that life, nor change the conclusions therein drawn, still some of the papers are of a very considerable interest.

For example, in 1857, Lord Napier wrote to ask Mr. Johnson to prepare for the British Government a statement as to the law as expressed by the United States Courts, as to the rights of the Crown, or of the State, concerning the shore of the sea and the margin of navigable rivers.

On September 27, 1862, William H. Seward wrote from the

State Department, telling Johnson that his reports on affairs in New Orleans were "characterized by the intelligence, discernment, and ability which led to your selection for that important trust, which I am directed by the President to assure you has been discharged to his entire satisfaction." This letter would have been gall and wormwood to General Benjamin F. Butler, had he known of it. (See *Life of Reverdy Johnson*, p. 58.)

In 1864, Rev. R. J. Breckenridge wrote Johnson from Kentucky a letter expressing strong Unionist sentiments.

General George B. McClellan, on March 9, 1864, thanked Johnson for his vindication of the General's conduct at Malvern Hill, and for Johnson's advocacy of General Fitz John Porter. About the same time, Governor A. W. Bradford complained to Johnson of the Administration's conduct in the case of Colonel Tevis of Kent County.

From Baltimore, on Sunday night, November 1 (1863), Bradford wrote "Dear Johnson" in reference to the order printed by General Schenck, the Provost General, concerning the impending election. This order was dated October 27, and authorized military officers both to arrest sympathizers with the Confederacy who might approach the polls on election day, and also to support judges of election in requiring an oath of allegiance, whose words are given in the order, "from any person whose vote should be challenged."

Bradford had heard that Lincoln had countermanded this order, and wished to secure "authentic information" as to this matter. Schenck's orders had been sent to every county in Maryland, and if countermanded, must be followed by special messengers. Two out of the five Provost Marshals were candidates for office in the election, and they were authorized to stop voters on the way to the polls. Bradford had prepared a proclamation to be issued, if the report of the President's countermanding the order be correct, and asked Johnson to telegraph him whether this is the case, and to come over on the 11 o'clock train for consultation. Lincoln had modified the order, and Bradford, probably after the desired conference with Johnson,

issued his proclamation. (Scharf's History of Maryland, vol. III, pp. 560-570.)

General R. E. Lee consulted Johnson on January 27, 1866, in reference to the seizure of Arlington, in a letter showing admirable temper.

Mrs. Jefferson Davis also consults Johnson on July 19, 1866, as to her husband, whose health, she fears is declining in captivity.

The most important part, however, of this collection of papers, is that which contains letters written to Johnson, either during his ministry to England, or shortly after its conclusion. In order to explain these, a brief statement of historical facts is necessary.

Johnson was nominated as Minister to England, while a member of the United States Senate, from Maryland, after the nomination of General George B. McClellan had been rejected. On the contrary, Mr. Johnson's nomination was unanimously confirmed, on June 12, 1868. On July 9th, he left the Senate, receiving a remarkable tribute of esteem and respect from the members of that body. A complimentary banquet was given him at Baltimore, on July 15th, at the Eutaw House, and, in the latter part of that month, he sailed for England, accompanied by his son-in-law, Charles G. Kerr.

He was instructed to endeavor to negotiate three treaties:—

1. In reference to the North West boundary of the United States, through Puget Sound to the Pacific.

2. Concerning naturalization.

3. Concerning the claims of the United States against Great Britain, for damages arising from the alleged un-neutral conduct of Great Britain during the Civil War—the so-called Alabama Claims.

Mr. Johnson was immediately successful, and his genial personality laid the foundation for the *entente cordiale* between the two countries. He was too complacent with the former sympathizers with the Confederate States, for his conduct to meet the

favor of the majority of the United States Senate, and was undoubtedly indiscreet in some of his acts.

He arrived in England in the middle of August, and found Disraeli, Prime Minister, and Lord Stanley, Foreign Secretary.

On September 14th, he was presented to Queen Victoria.

In December, the Conservative ministry fell, and Gladstone took office as Disraeli's successor, an office which he filled until 1874. With Mr. Gladstone, was Lord Clarendon as Foreign Secretary. The draft of the treaties which had been drawn with the Disraeli administration, was completed, and in February, the Senate had before it the Alabama Claims Convention. Senator Sumner of Massachusetts was Chairman of the Committee on Foreign Relations. He opposed the treaty and reported it from the Committee, on March 16, 1869, after General Grant's inauguration as President. The Senate rejected the treaty in April. Johnson returned to the United States in June.

There is a most remarkable collection of invitations for visits sent Johnson by members of the English nobility, when he was United States Minister to Great Britain, autograph letters of this character being found from the Secretary of the Prince of Wales, the Duke of Argyle, the Duchess of Leeds, the Earl of Derby, the Earl of Devon, Lord Cairns, Sir Henry L. Bulwer, etc.

The Danish Government sent a messenger to ask Johnson what could be done by them to secure the success of the treaty of cession of the West Indies islands, St. Thomas, etc., and Johnson answered that, probably the treaty would not be ratified, on account of the objections to it which existed.

Lord Stanley's draft, in his autograph, is preserved of the cable message he wrote for transmission to the United States in reference to the Alabama Claims: "Can I agree to have all questions as to Alabama Claims left to arbitration of King of Prussia." Stanley was Secretary for Foreign Affairs under Disraeli when Johnson arrived in England.

Seward wrote Johnson on October 26, 1868:—

"I thank you for your note of the 7th of October, giving explanations of the circumstances attending your speeches at Sheffield, Leeds, and Worcester. I have laid it before the President.

"Those speeches have fallen upon the ear of the American people in an hour when party spirit is raging very high. The Country, unadvised of your powers and instructions, and uninformed of the improved disposition of the British Government, has been entirely unprepared for success in the objects of your mission. As you may have noticed, an active criticism was inaugurated by the Press, under a belief that, to the failure of your negotiations would be added the humiliation of your having unnecessarily lowered the national attitude of your speeches.

"The Cable reports have already broken this delusion in part. Your success in negotiating the claims convention, ought to remove it altogether. In the event of that success, however, you may look out for another change. Political adversaries, finding your negotiations armed with complete success, contrary to their own predictions, will begin to cavil at the several treaties, which you will have made, on the ground that they fall short of what might and ought to have been secured. This is the habitual experience of diplomacy. It was so with our German naturalization treaties; it was so with St. Thomas and Alaska treaties; it was so with Jay's treaty, and with the Treaty of Ghent. Nevertheless, I think that you may take all needed encouragement. The treaties will prove satisfactory in the end, and the wisdom of the speeches you have made will thus be fully vindicated by the achievements which follow them."

On January 11, 1869, Lord Clarendon, who succeeded Stanley as Foreign Secretary when Gladstone became Prime Minister, wrote Johnson, "as you and I are not of an age or character to bandy compliments, with each other, I am sure you will believe me sincere when I say that I never read a more beautiful, effective, and appropriate speech than yours to the workingmen—it gave me infinite pleasure."

A letter written on February 6, 1869, by Lord Clarendon, stated that the writer liked the Niles plan and thought such a

canal (probably the Panama one) was hopeless, but would be more useful than the Suez one, and the money used in constructing it would be "better employed than in maintaining millions of unproductive soldiers."

"Have you any news from Washington? That which I have received augurs ill for ratification. Our convention indeed seems to have few friends on either side of the ocean, for the English papers, though on different grounds, attack it almost as fiercely as the American."

A little later, Seward wrote, on March 24, 1869, from Auburn, his home:—

"I do not think it would be safe or wise to look too critically at Mr. Sumner's arguments. The whole truth is, I think, as I have already intimated to you, that the Republican leaders find a chance for a new popular or party issue, in the newspaper clamor against the Claims Convention. General Grant, before his inauguration, expressed himself as having taken the popular sentiments. These soon took the form of a policy, and what Mr. Sumner is reported to have said, what that President said in his message, what the newspapers now say, are the separate efforts of so many parties to explain, vindicate, and enforce the new policy.

"It is not yet time to see how these speculations affect our incumbent with all our past negotiations, though any upon the war are to be reduced into the concrete form of practical instructions. But that is the duty of the new administration. You and I may well be content to wait for the performance. Meantime, domestic questions seem to engross the new Administration, to the exclusion of foreign interests altogether."

On April 2, Mr. Seward wrote again from Auburn:—

"Every nation greedily seizes the opportunity of a change of government. In free countries, there is always a habit of demanding and giving reasons. You remember what your Kentucky statesman gave as the reason for electing General Jackson,

at the end of the Adams Administration: 'Mr. Adams must give place for a successor, even though the Massachusetts President was as pure as the angels.'

"The people are so anxious for a change that they were disappointed in not receiving one, through the process of (?). The Administration seems to be very different from expectation. Probably, no thought will be given to foreign policies till autumn. Probably, also the Senate will reject the claims treaty."

General Horace Porter wrote to General W. T. Sherman, from the Executive Mansion, on April 9th, that Reverdy Johnson's letter to Sherman had been shown to the President, but that Johnson had sent up a cipher message to the President and had already been told that the change in the minister would be made, when his resignation reached the office.

Seward wrote on April 20, that it would be a year or two before anything will be done on foreign affairs. "Meantime, the popular mind must be calmed."

* On April 30, Lord Clarendon wrote: "*My dear Johnson*," asking him to dinner on May 8.

The Duchess of Leeds was one of the daughters of Richard Caton, and under the will of her sister, the Countess of Stafford, she had inherited important property rights in Maryland, concerning which several letters passed between her and Mr. Johnson, shortly prior to his departure from Maryland.

The Library of Congress also possesses the diary of Mr. Moran, who was Secretary of the American Legation in London under Johnson, and who gives numerous and uncomplimentary entries as to the character and conduct of his chief.

There is an undated letter from George Peabody, belonging to this period, inviting Johnson, as American Minister, to accept a banquet tendered him by the Lord Mayor of London.

Another letter from J. Emerson Tennent invited Johnson to dine with Charles Dickens.

General Sherman wrote Johnson from Washington on May 9, stating that he had sent Johnson's letter to the President, but had no idea who will succeed Johnson. "General Grant keeps

his confidence perfectly, and I do not wish to penetrate it. Removals have been sweeping, but I cannot detect any rule or principle guiding the action. I know that the officers of the volunteer army have been sadly disappointed, as many of them have given place to pure politicians. I am here, but my feelings are anywhere else. I see and feel the presence of a political atmosphere that don't suit my temperament. Congress will probably adjourn tomorrow, when I hope this will subside to a healthy condition. Assuring you of my respect and confidence, I am Truly your friend, W. T. Sherman, General."

"Tell Mrs. Johnson I have her letter also, and will answer."

Lord Clarendon, on May 11, wrote Johnson: "I deeply regret, on grounds both personal and political, the cause which prevents your attendance at Court today, and taking leave of the Queen tomorrow." He hoped to see Johnson Monday, at 12.20. "The reports that reach us from the United States are not pleasant."

Johnson was now on his way home. On his return, M. H. Grinnell, in New York, invited him to a dinner, as he always delighted to show his fondness for "the old Taylor cabinet."

On May 14, Seward wrote from Auburn, directing his letter to Baltimore. Johnson filed it as received on June 5.

Seward did not think Sumner was informed of the general character of the negotiations. He remembered telling Thornton, the British Minister to the United States, that perhaps he might as well not leave for us the particulars of the negotiation, when he discovered that there was a political opposition being manifested by the Press.

General Sherman, on July 10, wrote from Washington, expressing regrets that he had missed Johnson's visit. "The more I see" of politics, "the more my aversion grows, and the more contented I feel that chance cast my lot in another channel of life."

Severn Teackle Wallis on May 10, 1869, extended Johnson an invitation to receive the degree of LL.D., from the Univer-

sity of Maryland, and to address the Law School "which is struggling into existence," at its coming Commencement.

Lord de Grey, one of the British Commissioners who negotiated the Treaty of Washington in 1871, shortly after his return to England, sent Johnson an important letter, dated June 17, 1871: "Your approval of the Treaty has been a source of great satisfaction to myself and my colleagues of the Commission, and we shall always be grateful to you for the frank and cordial support which you gave to us, and which so much facilitated the complete success of our labors. I believe the Treaty to be fair and honorable to both countries, and shall always feel proud of having had a part in its negotiation.

"Lady de Grey desires to be most kindly remembered to you. I am happy to say that I found her quite well on my return."

From Edinburgh, October 10, 1871, Gladstone sent the first of several noteworthy letters—the more noteworthy, because he was Prime Minister when he wrote them. He thanked Johnson for a pamphlet he had written upon the Washington Treaty. "I regret to infer from the title, that you see serious cause to except to Sir Roundell Palmer's view of it, but I shall, in any case, hope for our agreement, and read whatever you may say" with respect and interest.

On January 2, 1872, Johnson sent Queen Victoria a letter of congratulation on the recovery of the Prince of Wales from illness. Johnson wrote: "No one in your Majesty's Dominions felt more solicitous for a favorable result . . . than I did." His solicitude came from a personal regard for the Prince, "with whom I had a personal interview," and from the fact that a fatal termination of the illness, would have been a dreadful affliction to the Queen. Johnson hoped for a successful reign for him, as well as for her. He gratefully remembered the Queen's politeness toward him, and hoped the evening of her days might be happy. Lady Granville acknowledged this letter on February 3.

From 10 Downing St., Gladstone, on January 26, 1872, wrote that he was obliged for Johnson's note of the 12th, and its frank

and explicit expression of Johnson's opinion. He wished Johnson had told him to which of Gladstone's expressions Johnson objected, because it "shared in producing irritation on the part of the American Press."

"I can readily believe with you," he continued, "that your countrymen consider their case on the Alabama claims to be a clear one, but I am not sure that I understand your meaning, when you state that, unless the arbitrators decide in your favor, excitement will be renewed, and they will believe, however unjustly, that the Washington Treaty was but a contrivance to defeat their claims. For I am confident that the great American people will never, as a body, think unjustly of the body which they have selected to be the depository of their confidence.

"I apprehend that, in a case of arbitration, the duty of both parties is the same, and is perfectly clear. I imagine that they should respectively urge no claim on their own behalf, except what they believe to be well founded; that they should state everything on behalf of their claims which they can state with honour, and nothing which they cannot. That, arguing honorably, they should also argue freely and unreservedly, and that each should pay the other party the compliment of crediting him with so strong a love of justice and so much self command as to feel confident that he will not take offence. Finally, that an award against their own side, within the limits of the reference, is to be accepted and obeyed, I do not say with the same pleasure, but with the same promptitude and fulness as one in his favour, opposed as it may be, not only to his inclinations, but to his convictions. I do not say these duties are always easy; we may not find them so; but they are clear; and if they be clear, the difficulty of clear duties is but a part, and the very best part, of the discipline of life. I trust that, if I have described them truly, we, on our part, shall be enabled to perform them. And I think much too highly of American character and civilization to believe that you will, on your side, fail.

"But above us both there is that high tribunal of the moral judgment of the civilized world, which besides being disposed

to attach that weight to the authority of the arbitrating body, would never approve of complaint, even against a sentence which is deemed to be questionable, if that complaint so much as looked like a tendency, I do not say to disobey, but to retain a grudge and a feeling of resentment, capable of influencing future conduct.

"I am so sanguine as to believe that we shall not differ as to the principles which appertain to the right conduct of arbitration; and that in our joint acceptance of them, we shall both lay the firmest basis of our future friendship, and raise to the highest point the value of the boon, which, by our example on this occasion, we are, I hope, conferring on the world. With every good wish, I remain sincerely yours."

On February 18, 1872, Wade Hampton asked Johnson's aid to refute charges made by George F. Edmunds in the Senate against him.

Another important letter was written Johnson by Gladstone on October 15, 1872. "In reply to your inquiry, I think the award of the Geneva Tribunal has been received in England with an uncomplaining and cheerful obedience. Possibly when all the motives and all the consequences have filtered into the public mind, there may be improvement even upon this. But all feel, what I trust America would have felt were the case reversed, that the friendship of the two countries is relieved of a cause of danger, and in the face of this result, the question of money is unimportant.

"I have no fear that the healthy tone of public sentiment will be disturbed by the award in the case of San Juan, whatever it may be.

"I congratulate *you* in particular on the termination of the controversy, for no man laboured more energetically in the cause at once of honour and of peace.

"I am sure that should you visit us again, you would find us all glad to see you. The Chancellor of the Exchequer, who has just suffered a domestic calamity, has not yet mentioned to me, what may be his arrangements for the payment of the money,

nor do I, precisely, know as yet up to what date interest is already included in the 'lump sum.' "

From Cooperstown, Mr. Justice Samuel Nelson of the United States Supreme Court, wrote on January 16, 1873, thanking Johnson for showing him Gladstone's letter. Nelson regretted Lord Cockburn's speeches as an exception to the general attitude of the English, who "feel apparently disappointed at the result of the Geneva award," yet "meet it with a manly and friendly spirit, as becoming a great and intelligent people."

On November 26, 1873, Hamilton Fish, Secretary of State, wrote thanking Johnson for a letter on Cuban affairs. "The outrages committed subsequent to the capture of the *Virginus*, have distracted the public mind, and led it to compound two very distinct affairs."

Gladstone's last letter was written on March 5, 1874, thanking Johnson for his recent letter. On February 24 the former had ceased to be Prime Minister, and he wrote: "In my 42nd year of Parliamentary life, I naturally desire repose, but it will ever be to me a gratifying recollection to have co-operated, however feebly, in the restoration of natural and more open cordial relations between your country and mine."

On March 9, 1874, Lord Shaftesbury answered a letter from Johnson concerning the Ragged Schools, and sent accounts of them. "They have, thank God, accomplished great issues, but, with us this system is, I fear on the decline. The advance of the School Boards everywhere, the extreme prominence given to trade(?) teaching, have taken from them much public support."

"The new system may produce large results, but it will not provide, as we have done, for nearly all the Pupils, the means of entering on a career of honest Industry."

On March 11, 1874, J. A. Roebuck from London, wrote that "Mr. Mark Frith tells me that the letter addressed to myself, with the thoroughly undecypherable signature, comes from you, i. e., from Mr. Reverdy Johnson, and trusting that he is right, I answer to you the very complimentary epistle which bears that signature. I am glad to find that diplomatic considerations

alone prevented your vindication at the time of my speech at Sheffield, which was so thoroughly misinterpreted by the Press of England, at the time your word would have been of worth to me. However, I have lived down that misconception, and I think my countrymen now would put as much trust in my sayings, as in those of any other politician. . . . I beg of you to accept my thanks for all the kind expressions of your letter."

Upon June 1, 1874, Sir Stafford Northcote, afterwards Lord Iddesleigh, thanked Johnson for a copy of an article on the case of the underwriters, which "seems to me very able and sound."

William Cullen Bryant thanked Johnson on November 10, 1874, for a letter and was made "proud by commendations from so distinguished a source."

"You speak of the failure of your sight. It has been remarked that often, in cases like yours, the inner sight—the mental vision—becomes more clear and far reaching, as the material organs of sight cease to perform their proper functions. If your sight must be, as you say, eclipsed, may the loss be more—much more—than compensated to the faculties of the mind."

On April 9, 1875, Bryant wrote concerning an exchange of photographs: "You, I infer, in the placid evening of a long life, still retain in their vigor, the faculties which have placed you at the head of your profession, and I pray that you may yet long live to ornament the society of your beautiful and flourishing city."

September 11, 1875, Charles Reade wrote on international copyright, asking that Johnson make recommendation of a zealous lawyer, who would act as a centre of communication. If he were a member of Congress, so much the better.

October 14, 1875, the Comte de Paris thanked Johnson for sending him a speech, which is a "very effective one to the wanton attacks directed against the Catholics by a British statesman. We Catholics of the Old World look with great sympathy and interest upon our co-religionists of America, for the example shows, on the one hand, they bring to a Nation an element of strength and civilization, and, on the other hand, our Church is

nowhere more thriving, more prosperous, and more respected than in free countries like yours." He hoped to see Johnson again soon. Johnson visited England in the autumn of 1875. Charles Reade wrote on November 25, 1875, and sent Johnson a box for a play at the Prince of Wales Theatre.

After Johnson's death, on February 13, 1876, Bishop William Pinkney wrote Mr. Charles G. Kerr, Mr. Johnson's son-in-law: "Through a long life, he illustrated the grandest of its august principles (i. e. those of the law), before every tribunal he was called upon to address. Bold as a lion, he was the soul of feeling. Ever prompt to bear witness to the truth of the Bible, he meekly confessed Christ crucified among men. I loved him as a man; for, who could sound the depths of his heart all aglow with the beautiful and the true, and not love him? . . . In my honest judgment, the country has lost its greatest man, and it is a beautiful coincidence that he should have fallen asleep in the centenary of the country's glory, who so lived as to exhibit the granite of the elder age of the Republic." He regretted that he could not come to the funeral.

Two letters written by Johnson, acquired for the Library of Congress from another source, are of some interest. From Annapolis, on June 14, 1838, he wrote to Henry A. Wise, then a member of the House of Representatives, in Washington, asking him to come with the Hon. S. S. Prentiss to a Whig meeting at Havre de Grace, which may save the State, and on July 10, 1843, he wrote M. H. Grinnell, in New York, inquiring as to the times of sailing of ships for Europe, as he intended to send his son to a German university.

EXTRACTS FROM THE CARROLL PAPERS

(Continued from Vol. XIV, p. 293.)

March 25th 1773 [215]

Dr Charley

I have y^{rs} of the 18th & 19th instant by Clem. I think as you do th^t Antilon does not intend to appear again in Print. However should He alter His Resolution upon a fresh provocation from the Whigs, before you Answer, will it not be proper previously to Requier Him to shew that He has not advanced many lies, for th^t it will be time throwne away to answer A man who in the opinion of the Publick has forfeited any Claim to be believed I am glad to Hear th^e Gov^r invited you to dine with Him so soon after the Publication of y^r Answer to Antilon, altho it be no proof th^t y^r answer has not offended Him; His Behaviour & Hints which He may have dropt since, will be more Certain indications of His sentiments; His Behaviour you have seen, if He has spoke, you probably Have Heared some of the things He has sayed, upon all Circumstances let me know what you think He thinks. M^{rs} Ridout, I doubt not Has let you know M^r Ridouts sentiments & what M^{rs} Tasker, M^{rs} Dulany &c say of the Citizen. Has Scot, Jenifer or Ridout sayed any thing to you. It is Probable D: Carroll has let you know what the Politicians about Marlboro say of the Citizen, the same Intelligence you may get from Chace & Cooke. Let me Hear all. I like Chaces & Pacas last Paper very well it is smart & sensible, & they maintain well the *Custom & Usage* not in the Common Legall acceptance of the words, but in the sense they Contend for, to their Justification. Plain truth as you say is a miserable performance, His great spite is ag^t the Lawers. The officers Cannot forgive them, & therefore I Conclude Plain truth is the Child of some officer, if not Antilons. Bouchers last Address to Paca dated the 12th instant Gives me

a much worse opinion of Him than I formerly Entertained. He Cannot be ignorant of the Paper Paca has from the Gov^r & seems in my opinion to doubt it either to Expose the Gov^r or to make a difference between the Gov^r & Paca; His Crime seems to be the same in regard to Chace: some may be apt to think, He has not gone so far without the Gov^{rs} Consent. What Montgomery Told Boucher about Pacas doubt about the Validity of the Inspection Law, was as I hear told with an injunction of Secrecy & a promise not to Publish it if so, How shamefully has Boucher violated both. The Epithet Magnanimity in Antilons Card Alludes I suppose to y^r declaration th^t you should Wish the Gov^{rs} Removal. I wonder at the Scoundrells impudence in mentioning the Word *Veracity*. The strongest reason ag^t High fees to officers is the Saddles they Pay & if by a Law they were obliged to swear they payed no saddle &c I would willingly give them Liberall Allowances, as it would secure the Residence of the Principall Officers among us. I am glad to Hear Hunter has Answerd y^r letters to y^r Satisfaction. We had last night a Gust with Thunder and Lightning about 8 o'Clock, it has Continued to Rain Hard sleet & snow ever since Especially in the night (I write at 4 a Clock P. M.) it has made Breaches in my Mill Race & done other Damage, I Cannot be Particular untill the Waters are downe, it is surprising it should Rain so long, with the wind at N: W. Mrs. Darnall is not well, I am very well. I suppose little Molly mentions us sometimes we often talk of Her, Give my love & Blessing to Her & Her Mama, I wish Health and Happyness to you all. I am

Dr Charley

Y^r Mo: Aff^t Father

Cha: Carroll

March 26th it Continued Raining & Snowing when I went to Bed. The damage done to my Race is not great & will be soon repaired: There is a small Breach in the Race about 200 yards above the Waste & another very nigh the Mill the two swinging Gates were tore up & Lodged on the Bank of the River nigh the

Places where they stood, I am told the Water rose three feet in the Mill House & Coverd the greatest Part of the Poole Meadow. If as much Rain fell Back as wth us, I am fearfull y^r Tenants on Potowmack have suffer'd.

How Came you to feed with seed Oates formerly sent you, be more Carefull, I could illy spare the Oates Seers Carryed wth Him, I must sow Common Oates. You may or not send my Letter to Jenifer, it may draw some Answer from Him, if you send it dry the Seal, if you do not send it, make my Compliments to Him & tell Him what I say to Him about Rigg's Protested Bill. Let me know if you Can the Authors of Patuxent & Clerrins &c The first I understand is from a Presbiterian & Pepper Hot. Give me every little that is sayed Pro & Con about y^r last Citizen, I may not think things trifling wh you may think so. Pray dispatch the inclosed to Dorsey. Keep the Boy if the Northen Post be not Come in untill Monday. I shall goe to Morrow if it does not blow as hard as it has done this day to see what damage is done to my Race &c, & order the necessary repairs. I think my Wheat is sold at 7/6 Quantities being sold at that Price in B: Towne.

March 28th 1773 [216]

Dear Sir

As it is inconvenient to M^r Riggs to draw at this time, I shall not insist upon payment before summer of his Protest.

It is thought that the Whigs will not appear again; if they do not I suppose Antilon will be totally Eclipsed, by the shield of the man with the long name.

Your son is a most flaming Patriot, and a red hot Politician: He and I have frequent skirmishes in the Field of Politics, each retiring Victor, and of consequence always ready to renew the Attack.

I am with my compliments to M^{rs} Darnall

Dear Sir

Your most h^{ble} serv^t

Dan. of St. Thos. Jenifer

April 1st 1773 [217]

Dr Charley

I have y^{rs} of the 28th past by Clem. The Pensilvania Papers I sent hither when at Annapolis are mostly lost having past thro many Hands, so th^t if you have a mind to get a Compleat Collection of the Papers Containing the New England Assemblys late Controversy with their Gov^r you must make it up at Annapolis: I send you all I can find & shall be Carefull of such as I shall Hereafter receive from you. Clericus &c & the Protestant Whig Certainly belong to the Editor, I never read such a Rapsody of nonsense, I have Heared severall speak of it & all with Contempt. I did not imagin the Gentⁿ I mentioned would give fully their opinion of y^r last Paper or openly Approve it, but I thought they might drop some Hints. I do not doubt D: Carroll told y^r last Paper was generally liked about Marlboro & in His Walks tho you do not Mention it, I do not Wonder they should be silent at Mellwood, there is a littleness in some men wh^h prevents their saying anything in praise of a Person they dislike: I send Major Ridgelys letter, He I am persuaded speaks the Sentiments of the People in these parts, the 1st Citizen is frequently Toasted among them. I hope the Independ^t Whiggs will be silent th^t you may not be drawne in to write more if an author who has not wrote risks much by Publishing, an Author who has published with applause, risks not a little as He may fall short of Expectation. Do not let the Barristers present disposition to settle our Claim on the Comp^d: Cool by any neglect of y^{rs} furnish Him with all the Accts as soon as Possible. It is Reported Here th^t the Gov^r has His Commission, if so, by this time it Cannot be a secret to you, Mr French told me He saw at the Post Office in Baltimore Towne severall large Packets for Him. Mr French took up the inclosed from Buchanan to you for which He payed 12/3 passage which I payed Him. He left me this morning & left with me £6:12:6 which I won of Him at Backgamon, He intends to the adjourned Provinsiall Court next Monday & will wait on you. Yesterday Between 4 & 5 a Clock P. M. it was

so dark for above half an Hour that we were obliged to light Candles; We expected a Heavy Gust, but it went of with a little Thunder lightning & Rain. Our Wheat & Rye looks Charmingly & our Pastures begin to look green & we shall soon have Plenty of Grass if we have not Pinching Cold winds to Check its Growth. Valentines Meadow makes a poor Appearance the Timothy seed sowed in it last spring was bad or it was Choaked by the Rankness of the Oates: I intend as soon as it is dry enough to sow it thinly over again & to Harrow it with the Iron tooth Harrow. We want some dry warme weather. We repaired the Damage done to our Race &c last Monday. I am informed the Fresh in Potowmack was not Great, but Monoccasi rose higher by 10 feet than in the memory of Man it has been knowne to Have rose & th^t much damage has been done on that River. Almost all the Bridges & Mill Dams in our Parts have been Carryed away. Hoods Mill Dam is gone, the Water went over Ellicotts Bridge, so it did over the Bridge between me & M^{rs} Hall & it Rose as Frost tells me nigh 3 feet above the Bridge nigh Him. I Have Replanted my Lucern & am now filling my Vine yard with Cuttings as far as they will goe. Next week I intend to sow the Piece of Ground below the Orchard which I allotted for S^t Foin & the Meadow below the Vineyard. The wine I made is allmost fine & has a good Colour & is much improved since December & has a good Body, I think it sound, but I believe you will not, tho it is not nigh so tart as Renish 3 years old. I shall not send downe the 10th inst^t as M^r Aston will be with you to give you an opportunity of makeing y^r Easter Communion I suppose you will not want any Beef from Hence as (if I mistake not) you sayed you depended on those feeding for you at the Island. If you should want, advise me, & when you will want one. I suppose you have Heared the Bridge between the Furnace & old Forge was Carryed away by the last Fresh. I have employed a man to Cut some Stones for Boundaries, He finished one & Cut the Letters very well. I am very well, M^{rs} Darnall better. It is time some Ships should be in I may expect my Vignerons by

the 1st Ships. Kiss my dear little Molly for me I give my love & Blessing to Her, Her Mama & y^rself. God Grant you all Health & Happyness. I am

Dr Charley

Y^r Mo: Aff^t Father

Cha: Carroll

P. S. Mr Ashton will not be with you before the 17th inst You will Remember me on the 13th being my Birthday

Send me 2^{lb} of Coarse Gunpowder.

April 2^d 1773 [218]

Dr Sr

Mr Riggs Desier'd me to Return you His thanks for y^r indulgence.

You & my son would not skirmish so often about Politicks had you not an Esteem for each other. He may have given Offence by His freemanner of Writeing But if the Government is wrong, would it not be more prudent & Just to Change their Measures than to Censure those Who oppose them. Is it just that four or five Officers who are supported by the Community should Dictate to the Community what that support should be that to Extort that Support they should deny the Community a Law w^h the Officers allow to be not only Extreemly beneficiall but Essentiall to the Publick wellfare? that the Law is Denied for the sake of the officers Cannot with any Colour of Reason be denied, it is weak to Expect that the weight of the Publick will not prevail ag^t such an insignificant opposition. All that Has or Can be sayed in favour of the officers is that their fees were reduced too low; Who say this? The Officers; who take upon them to decide the Controversy? The officers. When the Fees are reduced so low that the men next in Point of *Family* Fortune understand & Merit to the Present Possessors shall Refuse to Accept the offices then & not til then shall I think the Fees too low, I shall Continue to think the fees of any office too high if any Rider be payed out of it. I am Convinced th^t without a proper Caution the time will Come when no office

worth Acceptance will be bestowed on an American & therefore had I the Hon^r to be an Assembly man I should propose a Law to oblige All Principalls to Reside Here & to swear that they payed no gratuity out of their Offices. I write to you my Sentiments freely I have ever entertained them I never Concealed them; I write not to draw you into a Controversy, nor with Hopes th^t you will approve my sentiments, I know you have not leisure for the first & I think prudence may direct you not to Coincide with the last. I am at leaisure & I write because I am so & I hope I have not wrote in such a manner as to give you any grounds to think I have been wanting in th^t Respect & Esteem with w^h I profess myself to be.

Dr Sr

Y^r Mo: Hum: Serv^t

To Major Jenifer

3^d April 1773 [219]

Dr Papa

I have yours of the 1st instant by Clem. The 1st Citizen I have heard meets with general approbation on both shores: this cordial reception of a paper written by an avowed enemy of Antilon, gives him much uneasiness & I fancy has contributed to his late & present indisposition. I have not seen him since the day I dined at the Governors.

I shall send your letter to the Major: there is nothing in it, which he can make a handle of; if there was, he should not have it, for he is not to be trusted.

The Governor did not receive his commission by the last packet, he expects it by the next, or by the 1st ship bound to this Province. Since his return to town he looks very cool on me. I paid him a morning visit Last thursday, but did not find him at home; I saw his Coachman & desired him to inform his master I had been to wait on him. His displeasure occasioned by an open avowal of sentiments, which I think just gives me very little or no uneasiness. Antilon I believe will continue silent; so will the Whigs, and I shall not be sorry for it: I did not write for reputation, but to instruct my countrymen & to

apprise them of the pernicious designs of Government: I hope I have in some measure succeeded; and this success gives rise to the Governor's resentment. Paca, Chase, Johnson & Cooke dined with me last thursday. Paca said the Gov^r told him that he hoped notwithstanding the present heats, all things would go on well at the next session of Assembly, or something to that effect. This expression if it meant anything, implied either that Gov^t would recede from its late pretensions or that the Governor entertained a hope of having a lower house to his liking, which I think he can not be so weak as to expect.

I return you H. Ridgely's letter: you did well to answer that part thereof, which relates to the 1st citizen, & I make no doubt you gave a very proper answer. I send you herewith the last Maryland & Pen^a papers, as also Rivington's newspaper to which I have subscribed. I am in hopes the proceedings of the Boston Assembly together with Hutchinson's speeches & answers will be printed in a Pamphlet either in Boston, or in London. I really think the controversy has been well handled on both sides: but much more may be said, the Assembly lays under one disadvantage: they dare not inforce their arguments; they are obliged to drop hints only, where a full display of arguments is necessary; but such a deduction of consequences from their political principles would discover what they now think will soon happen.

I expect one more steer from the Island; the last we had from thence was a very fine one but miserably mangled in the butchering. I shall send over a butcher to kill the next.

Sunday morning 4th

Last Wednesday I settled with Major Jenifer Clifton's bond, & passed my bond to Ignatius Digges on the 31 March for £1411:15:1 including the principal debt & 20 years or 5 months interest the interest commencing from the 16th October 1752 Clifton's bond was assigned by you to Digges for £634:10:4 on that day I also gave the Major a short writing under my hand promising to account with Digges for lands not yet accounted

for. I hope to discharge my bond to Digges by the time it is made payable viz. 16th November.

I heard of our bridge at the works being carried away: the loss is not great. I wonder if the Ellicots bridge suffered by the fresh.

"The Baltimore Co now seem desirous of erecting another furnace; they have concluded to rebuild Hockly forge with stone & cover it with tile. But under my cousin's will I foresee great difficulties will occur in carrying on the Works; and without an Act of the Assembly, I do not think it will be possible to erect a new furnace, because that would be enlarging our Stock. I shall see Slater at our provincial Court and speak to him about this matter & the education of the Children.

Poor old Grace died suddenly last friday morning between the hours of 10 & 11 her death was instant & without a groan. She had long been sick but that morning she eat a hearty breakfast, & told her mistress she hoped now the warm weather was coming on, she should get well. I saw her about 8 o'clock in the old kitching that morning. Poor old Creature I hope she is happy.

By what you write of the fresh in Middle & Patuxent Rivers, it must have been higher than ever known in the memory of man. I hear several mill dams about Marlboro & on the eastern shore are carried away, & that many tobacco houses have been blown down in the lower parts of the Province. No ships as yet arrived: it is high time; Cap^t Eden is expected about the middle of this month. Considering the great purchase of tobacco made last year by S. W. the loss he must have sustained on that purchase, the confused & perplexed situation of his affairs the debts he owes &c I question whether we had not best drop him; besides the universal bad character of the man is against him, but this entre nous.

I expect Deards at home to day or to morrow: I have received a letter dated the 28th March, in which he tells me the 3^d or 4th instant will be the extent of his absence.

I rode out this morning & met old Dulany he looks hearty &

well I believe he is glad the controversy is dropt. It is said he proposes to go to Quebec this spring; but I doubt it.

My love to Mrs Darnall & compliments to Cap^t Ireland. I am glad to hear you enjoy your health, God send that you may long continue to enjoy it. We shall not forget your birthday on the 13th instant. If the disorder on the eastern shore is not abated, I believe our Provincial Court will be adjourned.

I am

Y^r Aff^t Son

Ch: Carroll of Carrollton

P. S. I much question whether Jenifer will answer your letter; if he does it will be nothing but flummery.

SOME EARLY COLONIAL MARYLANDERS

BY McHENRY HOWARD.

(Continued from Vol. XIV, p. 399.)

3. Attorney General THOMAS BURFORD, 16 -1686/7.

The first mention in Maryland Records I have found of Thomas Burford is as a witness to the Will of John Subtill of St. Mary's County, dated 14 April 1680, an abstract of which is in Baldwin's *Calendar of Maryland Wills*, Volume 1, page 92; and on page 136 of the same Volume John Pope, of Charles County, by his Will dated 5 September 1684 and proved 18 October, devises a tract of 200 acres of land called "Brian's Clifts" to his "kinswoman Eliza Burford" and in the event of her death without issue to her brother Thomas Burford.

At a meeting of the Council of Maryland on 4 October 1681 "Mr. Thomas Burford, one of the Attorneys of the Provinciaall Court is called in and by his Lord^{spp} [Charles 3rd Lord Baltimore, present in person] nominated and appointed his Attorney

Gen^l and therefore peremptorily commanded to desist from prosecuting any suits for any other person wherein his Lord^{sh} has been or is contrarily concerned his Hon^r the Chancelo^r is Desired to prepare a Commission for s^d Burford.”¹ And he appears as Attorney General in 1681, 1682, 1683, 1686.² He was, no doubt, Attorney General from the appointment in 1681 to his death in March 1686/7. But he continued his general practice, except as “peremptorily commanded to desist,” his name appearing in the *Archives* in cases before the Assembly and the Council. He was, perhaps, the leading lawyer of his day in the Colony and probably had his legal training in England.

His name appears as a Member of the Lower House on 27 October 1682, and thereafter during 1682 and 1683.³ On 4 November 1688 the Lower House notes that a “Member for Charles County viz^t Mr. Tho^s Burford is since the last Sessions of Assembly Departed this Life”; and so he was apparently a Burgess for Charles County from 1682 continuously until his death in March 1686/7, during all which time he also held the office of Attorney General.

That he was a Protestant appears from his signing, on 13 May 1682, a Declaration of Protestants, defending Lord Baltimore from the charge of partiality to Catholics in his government of the Province.⁴

In October or November 1683 in an “Act for Advancement of Trade” he was named as one of Commissioners to lay out Towns and Ports of Entry in Charles County.⁵

On 30 May 1685 he was appointed by the Council a Justice for Charles County and of the Quorum, that is to say, one of

¹ *Archives of Maryland*, v. 17, p. 33.

² *Archives*, v, 5, pp. 331, 333, 355, 512; *id.* v, 13, p. 130, and v, 17, pp. 93, 94.

³ *Archives*, v. 7, 335, 336 *et seq.*; 345 *et seq.*, 448 *et seq.*; 512 *et seq.* *Archives*, v. 13, 6 *et seq.*

⁴ *Archives*, v. 5, p. 355.

⁵ *Archives*, v. 7, 611.

the number without whose presence a sitting of the Court could not be held.⁶

Like other prominent Marylanders, Thomas Burford took out Patents for tracts of land outside his own County. In Lord Baltimore's Rent Roll Book for Dorchester County, now in possession of The Maryland Historical Society, there are entries of "Burford's Close," 500 acres, surveyed 4 October 1684 for Tho. Burford on the South side of Great Choptank River, and "Burford's hope," 500 acres (adjoining) surveyed for Thomas Burford 24 October 1684. The latter of these he or his Executrix appears to have sold, the former turns up many years later in possession of his grandson Colonel Thomas Plater, as will be seen in a subsequent "Plater" article in this series.

In the Charles County Rent Roll Book is an entry, "Burford, 400 acres, surveyed 30 9^{br} 1652 for Matthias Bryan, lying a league above Cedar Point. Poss^{rs} 200 A George Plater Esqr. 200 A Jas. Cotterell." Perhaps the name and date may give a clue for further information about Thomas Burford; but at any rate the names of the possessors, Plater and Cotterell, who were two of his sons in law, at the date of this Rent Roll Book, 17—indicate that it was his "dwelling Plantation" mentioned in his Will.

His Will, dated 13 March with a Codicil 16 March and proved 24 March 1686/7, is recorded in the old Prerogative Office Records, (which, after being in the Office of the Register of Wills for Anne Arundel County, are now lodged in the Land Office, Annapolis), in Liber G page 235, and an abstract is in Baldwin's *Calendar of Maryland Wills*, Vol. 2, page 10. At that time, and down to 1752, the year was commonly held to begin on 25 March, the preceding months of January and 24 days of March being often written with a double number, as the above 1686/7. He died, therefore, between 16 and 24 March 1686 according to Old Style reckoning—1687 New Style. He devises the 2 tracts his dwelling Plantation in Charles County

⁶ *Archives*, v. 17, p. 380.

to his son, Thomas Burford, reserving to the Wife of the testator, Anne Burford, the use thereof for her life or as long as she continued unmarried and an inhabitant of the Province; and by another Item he directs 500 acres which he had in Dorchester County to be sold and the proceeds to be divided between all his children when of age or married.

The exact beginning of the Old Style year is noted in the following extract from these Prerogative Office Records, Testamentary Proceedings 1682-1687, page 469:

“Die Mercurij 24 Marij Thomas Burford’s Will proved.
Incipit annus 1687.

25 March Ann Burford of Charles County relict and Executrix of Thomas Burford Esq. lately deceased, prays that letters Testamentary with copy of Will be committed to her. Commission to Col. Edward Pye of Charles County to swear her and Warrant to Captain Humphry Warren and William Du [?] to appraise.”

And on page 505 an Inventory of the goods &c. of Thomas Burford, deceased, is returned on 3 August 1687.

Information about the children of Attorney General Thomas Burford is found in other of these Prerogative Office Records:

Testamentary Proceedings K C 24 1695-97 No. 16
page 201 Oct. 13th 1696 Came George Plater Esqr. who married Ann the relict and Admnx. of Robert Doyne, late of Charles County, deceased, and exhibited his account of his Admn. of said deceased’s estate, and craves further time to add to it.

Page 232 may 10th 1697 Came George Plater Esqr. who married Ann the relict and Extx. [Admnx?] of Robert Doyne, deceased, and exhibited his add’l. account, &c.

Inventories and Accounts 1697 No. 15
page 31. Account of George Plater and Ann his Wife Extrs. of Will of Robert Doyne. (One item is a payment to Mr. Thomas Burford for demanding debts and settling

the estate.) 20 May 1697.
 page 34. Additional Account of same 20 May 1697.
 page 134 Additional Account of same 13 August 1697.

Testamentary Proceedings K C 25, 1697-99 No. 17
 page 27 George Plater Esqr. exhibited an Additional Account of his Administration of the estate of Robert Doyne, deceased. Pages 96-99 in proceedings about a Will of Richard Chandler, dated 14 October 1686, but not signed, and who died 14 or 15 August 1697, and which Will makes a devise to "Mrs.⁷ Anne Burford," a deponent testifies in 1697 (page 105) that since 1686 Richard Chandler said he did not intend Mrs. Anne Burford to have any of his estate, she having been twice married since his intention so to do in October 1686, being that he courted her in the way of marriage, and that he would not have left her anything if he had been asked the question any time since the first marriage. And on page 107 another deponent testifies that he heard Chandler say that as to Mrs. Anne Burford Jr., since her first marriage he would not have given her anything.

Testamentary Proceedings 1708-11 J G 5 No. 21
 page 99 [1709?] John Rousby and Anne his wife, Administratrix of George Plater Esqr are cited to account.
 page 158 The account of John Rousby who married the widow and Administratrix of George Plater of said Plater's Estate of Calvert County.

Testamentary Proceedings 1711-15 W B 8 No. 22
 page 8 [1711?] John Rousby who married the Adx. of George Plater, his Addl. account.

Wills, Liber H, page 93, Will of Thomas Burford, gent., of Charles County, dated 4 February 1697/8 and proved 1 March 1697/8 and bequeathing personal property to his "well beloved sons" Benjamin and Charles Warren and to

⁷ Unmarried women, even children, were often termed "Mrs."

other Warrens and to his "brother" Richard Dodd and to his brother in law James Cattle and to his sisters Eliza Cattle and Jane Dodd.

[An abstract of this Will is in Baldwin's *Calendar of Maryland Wills*, Vol. 2, page 144.]

Testamentary Proceedings 1697-9 K C 25 No. 17
page 138 Ri. Broughton, Deputy Commissary, writes to Madam Burford⁸ that he will examine the evidences to Mr. Burford's Will and notifying her and all other persons to appear at the Vestry house at Nanjemby parish Church on 1 March instant [1697/8]

[The same notice apparently to "Ja. Cottrill and Eliz^a his Wife, and to Richard Dodd and Jane his Wife and to George Plater Esqr. and Ann his Wife.]

From all which extracts and abstracts it appears that Attorney General Thomas Burford, who died in March 1686-7, had 4 children living in February 1697-8, Thomas Burford; Elizabeth, wife of James Castle, Cattle, Cottrill or Cotterell; Jane, wife of Richard Dodd; and Anne, then wife of Attorney General Plater, and that the widow of Attorney General Burford ("Madam Burford") was also then surviving; that Thomas Burford the younger had married the widow of (Humphry—his Will dated 14 August 1689 and proved 25 February 1694 mentions the same Warren children) Warren and died in February 1697-8 leaving no issue; and that Anne, of marriageable age in 1686, had married 1st Robert Doyne (Sheriff of Charles County) by whom she probably had no children, 2nd Attorney General George Plater, who died before 1709, and 3rd John Rousby, who died in 1744. By her 2nd husband, George Plater, she had 2 children (Col.) George Plater and Elizabeth Plater. (See a later "Plater" article in this series. Dr. Christopher

⁸ The unusual and dignified title of "Madam" and the fact that no wife is mentioned in the Will of Thomas Burford Jr., make it probable that she was his mother—widow of Attorney General Burford.

Johnston, well known Maryland genealogist, informed me that the Testamentary Records at Annapolis showed that she died in or about 1717. She could not, therefore, have been the mother of the children of her 3rd husband (Col.) John Rousby, who were born after 1720; moreover, being of marriageable age in 1686, she would have been too old to have such children. (See a later "Rousby" article.)

PROCEEDINGS OF THE SOCIETY

ANNUAL MEETING

February 9th, 1920. The Annual Meeting of the Society was called to meet tonight at 9 p. m. A quorum being present Vice-President Harris took the chair and Mr. George L. Radcliffe acted as Secretary of the meeting. Mr. Harris spoke with regret of the absence of Governor Warfield.

The Secretary announced that no contest existed and that the ballot stood as nominated at the January meeting. He was thereupon authorized by unanimous vote to cast the ballot. The Chairman then announced that the ballot had been cast as directed and announced that the following officers and members of the Committees has been elected:

President.

EDWIN WARFIELD.

Vice-Presidents.

W. HALL HARRIS,

DECOURCY W. THOM.

HENRY STOCKBRIDGE,

Corresponding Secretary.

RICHARD H. SPENCER.

Recording Secretary.

GEORGE L. RADCLIFFE.

Treasurer.

HEYWARD E. BOYCE.

*Trustees of Athenaeum.*J. APPLETON WILSON, *Chairman.*

WILLIAM H. GREENWAY,

CLINTON L. RIGGS,

WILLIAM M. HAYDEN,

EDWARD STABLER, J.,

H. OLIVER THOMPSON.

*Committee on the Gallery.*MILES WHITE, JR., *Chairman.*

OGDEN A. KIRKLAND,

THOMAS C. CORNER,

J. WILSON LEAKIN,

RUXTON M. RIDGELY.

*Committee on the Library.*LOUIS H. DIELMAN, *Chairman.*

WALTER I. DAWKINS,

EDWARD B. MATHEWS,

RICHARD M. DUVAL,

FREDERICK W. STORY,

JOHN H. LATANE,

THOMAS J. C. WILLIAMS.

*Committee on Finance.*PHILLIPS LEE GOLDSBOROUGH, *Chairman.*

WILLIAM G. BAKER, JR.,

VAN LEAR BLACK.

*Committee on Publications.*SAMUEL K. DENNIS, *Chairman.*

BERNARD C. STEINER,

JOHN M. VINCENT.

*Committee on Membership.*MOHENRY HOWARD, *Chairman.*

MATTHEW PAGE ANDREWS,

JAMES D. IGLEHART,

JOSEPH Y. BRATTAN,

WILLIAM H. LYTLE,

GEORGE ARNOLD FRICK,

ISAAC T. NORRIS.

*Committee on Genealogy and Heraldry.*B. BERNARD BROWNE, *Chairman.*

FRANCIS B. CULVER,

WILLIAM J. MCCLELLAN,

F. SIDNEY HAYWARD,

J. HALL PLEASANTS, JR.,

THOMAS E. SEARS.

*Committee on Addresses and Literary Entertainments.*WILLIAM M. PEGRAM, *Chairman.*

JAMES MCC. TRIPPE,

LAWRENCE C. WROTH.

The following report from the Treasurer was read by Mr. Radcliffe in the absence of the Treasurer, and was ordered to be filed:

GENERAL ACCOUNT.

Cash on hand, January 1, 1919..... \$ 299 53

RECEIPTS.

Current Dues, 1919.....	\$4,085 00	
Dues in Arrears.....	275 00	
Magazine Sales, Subscriptions, etc.....	178 25	
Investigations and Researches.....	15 25	
Diplomas	38 00	
Publication Committee.....	3 52	
Income Peabody Fund.....	911 50	
Income other than Peabody Fund.....	484 23	
Transferred from State Account.....	188 25	
Received from Trustees.....	708 00	
Md. Council of Defence.....	200 00	
Incidentals	61 83	
Interest on Bank Balance.....	11 94	
Permanent Endowment Fund.....	302 00	
1919 Bills Payable at Fidelity Trust Co.....	3,250 00	
Transferred from Special Guarantee Fund.....	99 04	
	<hr/>	\$10,811 81
		<hr/>
		\$11,111 34
Deposited State Archives Account in error.....		6 22
		<hr/>
		\$11,117 56

EXPENDITURES.

General Expense.....	\$8,482 20	
<i>Magazine</i> Account.....	1,533 96	
Diploma	1 50	
Library Committee.....	319 69	
Gallery Committee.....	273 90	
Securities Purchased.....	200 00	
Interest on Loans.....	201 81	
Investigation and Research.....	25	
	<hr/>	\$11,013 31
Cash on hand, December 31, 1919.....		104 25
		<hr/>
		\$11,117 56

STATE ARCHIVES ACCOUNT.

Balance on hand, Jan. 1, 1919..... \$ 957 51

RECEIPTS.

Receipts in general.....	\$ 260 12	
Check from State.....	4,000 00	
Interest on bank balance.....	9 02	
	<hr/>	4,269 14
		<hr/>
		\$5,226 65

EXPENDITURES.

Editing State Archives.....	\$ 500 00	
Printing	4,343 20	
Miscellaneous	31 79	
Error		6 22
Balance on hand, Dec. 31, 1919.....		345 44
		<hr/>
		\$5,226 65

The following report was read from the Trustees of the Athenæum by the Chairman, Mr. Wilson, and was ordered to be filed:

REPORT OF THE TRUSTEES OF THE ATHENÆUM FOR 1919

On April 21, the rental of the Athenæum Building to the Board of Public Works of Maryland was consummated, and the sum of \$20,000 borrowed on mortgage, at 5 per cent., to complete the necessary repairs and furnishings for its occupation. The lease is for ten years, at \$8,000 per annum, payable monthly, with an obligation on the part of the Society to supply heat and janitor service. The work has been completed and the building occupied for several months, with the following financial showing for the time occupied up to December 31, 1919.

RECEIPTS.

Proceeds of Mortgage.....	\$19,900 99
Borrowed from Fidelity Trust Company.....	1,000 00
Received as rental.....	4,277 80
	<hr/>
	\$25,178 79

EXPENSES.

All improvements.....	\$21,079 08
Interest	500 00
Note and Interest.....	1,024 67
Insurance and Bond.....	322 66
Janitor and materials.....	423 59
Paving tax.....	11 91
Coal	156 50
Repairs and sundries.....	96 19
Paid Historical Society.....	708 00
	<hr/>
	\$24,322 60
Cash on hand, Dec. 31, 1919.....	856 19
	<hr/>
	\$25,178 79

The building is now covered by \$50,000 insurance. The new buildings are covered by \$52,500 and the contents as follows: Books, \$25,000; Furniture, \$6,500, pictures, etc., \$6,500; Cohen gift, \$3,000 a total of \$41,000 on contents.

The Historical Division of the Maryland Council of Defense has occupied the third floor of the Pratt Building, for several months. They are engaged in securing a complete record of every person from Maryland who served the United States during the recent war. It is an immense and important work, and when complete will be unique, as no adequate record exists of those who served in the Revolution, the War of 1812 or the Mexican War. It is the recording of our State History as it is made, and the aid given by our Society will add to its fame and serve as an additional demonstration of its usefulness to the community.

The following report from the Gallery Committee was read by the acting Chairman, Mr. Ruxton M. Ridgely, and was ordered to be filed:

REPORT OF THE COMMITTEE ON THE GALLERY

The Gallery Committee reports that during the past year it has received many donations and permanent deposits, among which were additional articles presented by Miss Eleanor S. Cohen to augment her collection deposited last year.

Miss Lelia Way presented the Society with a painting of the Cathedral by Sauerwein.

Mr. J. B. Noel Wyatt presented the Society with a unique set of empire furniture, several family portraits by Peale and many objects of art with which the Society has furnished a room on the second floor front on Monument Street, which has been designated and marked the Noel Wyatt Room. In addition to this gift several very fine miniatures and family relics given by Mr. Wyatt, are now on exhibition in the main gallery.

The Society has also been fortunate in receiving from Dr. Henry J. Berkley one of the finest if not the most complete collection of Washingtoniana in the United States, embracing all the known engravings and wood-cuts of General Washington, some four hundred in number, which Dr. Berkley had suitably framed and hung at his own expense. The collection fills an entire room on the third floor. It was necessary to put this fine collection in the old part of the building as there was no space in which to hang pictures in the fire proof portion.

Mr. E. D. Raborg will shortly present the Society with a number of family portraits, some of which have already been passed on by the Committee, but not yet received.

The late Miss Susan Williams bequeathed to the Society of the Cincinnati of Maryland a fine portrait of General Otho Holland Williams, by Miss Peale, which the Cincinnati Society has deposited with us. The painting is for the present hung in the Colonial Room.

A photograph of the tomb of Ann Arundel was presented to the Society by the Ann Arundel Chapter of the D. A. R.

Mr. George Urie Stevenson presented a German Air Raid Warning Sign taken as a souvenir by the donor at the Battle of Chateau Thierry.

Mrs. Emilie McKim Reed presented the Society with a photographic reproduction of the equestrian statue of Washington, by Daniel Chester French, presented to France by the Women of America.

The report of the Library Committee was read by the Chairman, Mr. Louis H. Dielman, and was ordered to be filed.

REPORT OF THE LIBRARY COMMITTEE, 1919

The Library Committee begs to report the following additions to the Library:

8 volumes at the cost of.....	\$ 27 25
3 newspapers at the cost of.....	26 54
Binding 35 volumes, newspapers and magazines..	131 15
1 subscription to magazine.....	4 97
25 boxes for manuscripts.....	27 50
Moving cases and carpenter work.....	66 80
Miscellaneous items.....	35 48
	<hr/>
	\$318 69

The Committee would call attention to receipt of gift of the following:

155 volumes.
220 pamphlets.

Among the Manuscripts donated were:

25 letters, 195 manuscripts and documents, 10 manuscript volumes, and 4 broadsides.

The following report from the Finance Committee was read by Mr. Radcliffe in the absence of the Chairman, Mr. Goldsborough, and was ordered to be filed.

REPORT OF THE FINANCE COMMITTEE

The undersigned members of the Finance Committee beg to certify that the following securities belonging to the Maryland Historical Society have been counted and are found among the assets of the Society:

PEABODY FUND.

\$5,000 00 Norfolk and Western Railway Company First Consolidated Mortgage 4s.
5,000 00 Atlantic Coast Line Railroad Company, Louisville and Nashville Collateral 4% Bonds, due 1952.
5,000 00 Atlantic Coast Line Railroad First Consolidated 4s, due 1952.
5,000 00 Baltimore and Ohio Railroad Prior Lien 3½s, due 1925.
1,000 00 United Railway and Electric Company of Baltimore First Consolidated 4s, due 1949.
1,200 00 Atlantic Coast Line of Connecticut 4% Certificate, due 1925.

PERMANENT OR GENERAL FUND.

Assignment from Robert F. McKim property of East Street, yielding \$40.00 ground rent per annum.

\$1,000 00 Baltimore City 4% Engine House Loan.

4,000 00 United Railways and Electric Company of Baltimore First Consolidated 4s, due 1949.

2,000 00 Baltimore and Ohio Railroad First Mortgage 4s, due 1948.

600 00 Atlantic Coast Line of Connecticut 4% Certificate, due 1925.

1,000 00 Lexington Railway Company First Mortgage 5s, due 1949.

1,000 00 Shares McIntyre Porcupine Mines, Limited, per value, \$1.00 per share.

2,900 00 United States Liberty Bonds, Fourth 4½s.

100 00 United States Liberty Bonds, Second 4½s.

200 00 United States Victory Bonds, 4¾s. (Life membership, Miss Emma Marburg and Capt. John S. Short).

The following report from the Committee on Publications was read by Mr. George L. Radcliffe in the absence of the Chairman, Mr. Samuel K. Dennis, and ordered to be filed:

REPORT OF THE PUBLICATION COMMITTEE

The Committee on Publication respectfully reports upon its work in the year 1919. Four numbers of the *Maryland Historical Magazine* have appeared under the careful editorship of Mr. Louis H. Dielman. The contents of the *Magazine* have been more diversified than in several previous years, and it has been a valuable means of printing the original documents of various periods in the History of the State, and also of placing in permanent and accessible form various historical and biographical articles upon Maryland and Maryland men. The *Magazine* is also useful in keeping the members of the Society in touch with the activities of the organization.

Volume 39, in the *Archives of Maryland*, has been printed under the Editorship of Bernard C. Steiner, Ph. D. It contains the Proceedings and Acts of the General Assembly of the Province of Maryland from 1732 to 1736. This period of Maryland History has not been so much studied as earlier periods and yet, it is very important, as in it occurred events

which had an important result in preparing the Province for the better studied period of the Revolution.

In Volume 40, it is hoped to continue the publication of these Acts and Proceedings down to 1740. The cost of printing has very largely increased, and as a result, it will be necessary either that a very much larger appropriation be made by the State for the printing of the Archives, or there must come a diminution of the number of volumes printed, and the issue of only one in two years, instead of one annually. In order to avoid the latter danger, we recommended to the Society that an appropriation of \$4,000 instead of one of \$2,000 as in previous years, be requested and the request for the increased appropriation was duly made of the Governor. It is earnestly hoped that he will include it in his Budget.

We respectfully propose the adoption of the following resolution: "Resolved, that the *Magazine* account be credited with the sum of \$59.00 for the cost of printing the annual report of the Society and the list of members, and that the amount be charged to General Expenses, and that it be also credited in accordance with the terms of the deed of gift of the late Mr. George Peabody and of the resolution of the Society adopted January 3, 1867, with the sum of \$455.75, being one-half of the income for the current year from the investments of the Peabody Fund; and that the *Magazine* account be then closed by appropriate entries in the usual manner."

The receipts and disbursements on *Magazine* account, as exhibited to this Committee by the Treasurer of the Society, were as follows:

DISBURSEMENTS.

Vol. XIII: Cost of printing No. 4 (December No., 1918)....	\$293 75
Vol. XIV: Cost of printing No. 1 (March, 1919).....	396 35
" " " " 2 (June, 1919).....	291 55
" " " " 3 (Sept., 1919).....	333 90
" " " " 4 (December, 1919).....	
	<hr/>
	\$1,315 55

Cost of Editing—

“ “ copying	\$ 43 00	
“ “ postage and distribution.....	56 91	
		<hr/>
		\$ 99 91
		<hr/>
		\$1,415 46

RECEIPTS.

Vol. XIV from sales.....	\$121 35	
“ subscriptions	57 65	
		<hr/>
		\$179 00
		<hr/>
Debit balance.....		\$1,236 46
Against which is to be credited cost of printing the Annual Report and list of members in March issue, —pages, at \$ — per page.....	\$59 00	514 75
and one-half the income from the Peabody Fund....	455 75	
		<hr/>
Leaving the sum of.....		721 71
To be charged off in order to close this account as of Dec. 31, 1919. In order to ascertain the actual cost of publishing Vol. XIV, there is to be added the amount of the excess of disbursements over receipts above stated.....		1,236 46
The cost of printing No. 4, the December number, and the cost of editing Vol. XIV.....		592 50
		<hr/>
		\$1,828 96
And deducted therefrom the amount of the credits above noted.....		514 55
		<hr/>
Leaving as the actual cost of Vol. XIV.....		\$1,314 21

The expenditure of the annual appropriation of \$2,000 for the publication of the *Archives*, in accordance with the Law passed at the January Session of the General Assembly in 1918, was as follows:

RECEIPTS.

Balance on hand, December 31, 1918.....	\$ 957 51	
Received from State Appropriation in 1919 for the years 1918-19 and 1919-20.....	4,000 00	
Received from Interest in balance in bank.....	9 02	
Received from sales of <i>Archives</i> , etc.....	255 90	
		<hr/>
		\$5,222 43

EXPENSES.

Paid for editing Vol. 39.....	\$ 500 00	
“ “ printing Vol. 38 (XIV + 476).....	1,649 76	
“ “ “ Vol. 39 (XVIII + 524).....	2,500 00	

Paid for copying manuscripts.....	\$ 22 10	
“ “ sundries, stationery, etc.....	14 88	
“ “ moving stock of volumes.....	188 25	
	<hr/>	\$4,874 99
Balance on hand, December 31, 1919.....		347 44
		<hr/>
		\$5,222 43
There remains due the printer on account of Vol. 39	\$1,105 35	

It was moved and carried that the resolution proposed by the Committee on Publications be adopted.

The following report of the Membership Committee was read by Mr. Radcliffe in the absence of the Chairman, Mr. McHenry Howard, and was ordered to be filed:

REPORT OF THE MEMBERSHIP COMMITTEE

The Membership Committee begs to submit this their Annual Report.

Two persons were elected to Life Membership during 1919. This makes the number on roll to be ten Life Members.

The Associate Membership was increased by two making the number on roll sixty-four.

The net increase in the Active membership was one hundred and thirty-three, and at the present time nine hundred and two persons are paying annual dues.

The record of all classes are as follows:

	1918	1919
Honorary Members.....	2	2
Life Members.....	8	10
Corresponding Members.....	31	31
Associate Members.....	62	64
Active Members.....	705	838
	<hr/>	<hr/>
	808	945

Eighteen members died in 1919 and eight resigned, and one name was transferred to the Life Membership list.

The following report, from the Committee on Genealogy and Heraldry, was read by Mr. Radcliffe in the absence of the Chairman, Dr. Bernard Browne, and was ordered to be filed:

REPORT OF COMMITTEE ON GENEALOGY AND HERALDRY

The Committee on Genealogy and Heraldry begs to submit this their annual report for 1919.

We wish to express our regret for the loss of one of our colleagues, Mr. George Norbury Mackenzie, who died shortly after our last annual election in 1919. Mr. Mackenzie served many years on this committee and spent much time in Genealogy at research.

Another Church record has been added to our valuable collection. Two original books of St. Peter's P. E. Parish, Baltimore, Md., were copied and indexed.

Other work that unlocks information was done by indexing the following:

Index,—First M. E. Church,—Volume 2.
Anne Arundel Circuit M. P. Church.
New Jerusalem Church.
Associate Reform.
Indexed—St. Martin's Church—Worcester County.
Marriage license of Worcester County.

We held several meetings during the year and noted some of the works on genealogy that were presented to the Library, a short list is as follows:

The Fales Family of Bristol, R. I., by De Couray Fales, 1919, pp. 332.
The Curzon Family of New York and Baltimore, and their English Descent, by J. Hall Pleasants, M. D., Baltimore, 1919, pp. 75.
The Hills Family in America, by W. S. Hills, New York, 1906, pp. 711.
Some Virginia Families, by H. M. McIlhaney, Jr., 1903, pp. 274.
The Virginia Carys, an essay in genealogy, 1919, pp. 194.
The Tingley Family (descendants of Samuel Tingley of Malden, Mass.), by R. M. Tingley, 1910, pp. 884.
The Trowbridge Family in America, by F. B. Trowbridge, 1908, pp. 848.
The North Carolina Historical and Genealogy Register (quarterly). Vol. 1, 1900, pp. 640; Vol. 2, 1901, pp. 640; Vol. 3, 1903, pp. 480.
Transactions of the Huguenot Society of South Carolina, Nos. 8-17, 1901-1910 (excepting No. 9 for year 1902) in Vol. 1.
Marriage Notices in the South Carolina Gazette and its successors, 1732-1801, completed and edited by A. S. Sally, Jr., 1902, pp. 174.
Boddie and Allied Families, by John T. and John B. Boddie, 1918, pp. 259.

Among the collection from the estate of Douglas H. Thomas were several genealogical charts, family histories, and some general works on the same subject.

The Report of the Committee on Literary Entertainments and Addresses was read by Mr. Radcliffe in the absence of the Chairman, Major Pegram, and was ordered to be filed:

REPORT OF THE COMMITTEE ON ADDRESSES AND LITERARY
ENTERTAINMENTS

Your Committee on Addresses report and append a list of papers read before the Society at its monthly meetings.

March 10—"Thomas Johnson and Maryland's First Council of Defense." Hon. Edward S. Delaplaine.

April 14—"Roger Brooke Taney, Chief Justice of the United States." Bernard C. Steiner, Ph.D.

May 11—"A contrast between the War between the States and the European War." Major Randolph Barton.

November 10—"The Unpublished Correspondence of Gladstone and other Englishmen with Reverdy Johnson." Bernard C. Steiner, Ph.D.

December 8—"The American Creed and its Meaning." Mathew Page Andrews.

Mr. Richard M. Duvall urged that an effort be made at this time to supplement our funds.

The Rev. James M. Magruder called attention to the fact that the Parish of the Protestant Episcopal Church, covering the place where the first settlement was made in Maryland, is not in the Diocese of Maryland but in that of Washington.

There being no further business the meeting adjourned.

GEORGE L. RADCLIFFE,
Recording Secretary.

LIST OF MEMBERS OF THE MARYLAND HISTORICAL SOCIETY

* Died, 1919.

HONORARY MEMBERS

BRYCE, JAMES, LL. D. (1882).....London, England.
MARDEN, R. G. (1902).....13 Leinster Gardens, London, Eng.

LIFE MEMBERS.

BRIDGES, MRS. PRISCILLA B. (1910)... { Care Dr. J. R. Bridges,
630 College St., Charlotte, N. C.
CALVERT, CHARLES EXLEY (1911).....34 Huntly St., Toronto, Canada.
HILLS, MRS. WILLIAM SMITH (1914).. { Care of Mrs. D. E. Waters;
Grand Rapids, Mich.
HOWARD, MISS ELIZABETH GRAY (1916)..901 St. Paul Street.
MARBURG, MISS EMMA (1917).....19 W. 29th Street.
NICHOLSON, ISAAC F. (1884).....Albion Hotel.
NORRIS, ISAAC T. (1865).....1224 Madison Ave.
SHORT, CAPT. JOHN SAULSBURY (1919) 38 E. 25th Street.
ZWINGE, JOSEPH, S. J.....Loyola College.
WILLIAMS, MISS NELLIE C. (1917)....214 Riverside Drive, N. Y. City.

CORRESPONDING MEMBERS

ALDERMAN, E. A., LL. D. (1893).....University of Va., University, Va.
BATTLE, K. P., LL. D. (1893).....Chapel Hill, N. C.
BELL, HERBERT C. (1899).....R. D. Route, No. 4, Springfield, O.
BIXBY, WM. K. (1907)..... { King's Highway and Lindell Ave.,
St. Louis, Mo.
BLACK, J. WILLIAM, PH. D. (1898)....56 Pleasant St., Waterville, Me.
BROCK, R. A. (1875).....257 21st St., Philadelphia, Pa.
BROOKS, WILLIAM GRAY (1895).....257 S. 21st St., Phila., Pa.
BROWN, HENRY JOHN (1908).....4 Trafalgar Sq., London, W. C., Eng.
BRUCE, PHILIP A. (1894).....Norfolk, Va.
BUEL, CLARENCE C. (1887).....134 E. 67th St., New York.
COCKEY, MARSTON ROGERS (1897).....117 Liberty St., New York.
DE WITT, FRANCIS (1857).....Ware, Mass.
EABLE, GEORGE (1892).....Washington Ave., Laurel, Md.
EHRENBERG, RICHARD (1895).....Rostock, Prussia.
FORD, WORTHINGTON C. (1890).....1154 Boylston St., Boston, Mass.
GARDINER, ASA BIRD, LL. D., L. H. D. { Union Club, New York.
(1890)

HALL, HUBERT (1904).....	Public Record Office, London.
HARDEN, WILLIAM (1891).....	226 W. President St., Savan'h, Ga.
HART, CHARLES HENRY (1878).....	472 West End Ave., N. Y.
HERSH, GRIEB (1897).....	York, Pa.
LAMPSON, OLIVER LOCKER (1908)....	{ New Haven Court, Cromer, Norfolk, England.
MUNROE, JAMES M. (1885).....	Savings Bank Bldg., Annapolis, Md.
NICHOLSON, JOHN P. (1881).....	Flanders Bldg, Philadelphia, Pa.
OWEN, THOMAS M. (1899).....	Montgomery, Ala.
RILEY, E. S. (1875).....	{ 234 Prince George St., Annapolis, Md.
SNOWDEN, YATES (1881).....	University of S. C., Columbia, S. C.
STEVENSON, JOHN J. (1890).....	215 West End Ave., New York.
TYLER, LYON G., LL. D. (1886).....	Williamsburg, Va.
WEEKS, STEPHEN B. (1893).....	Bureau of Education, Wash., D. C.
WINSLOW, WM. COPLEY, PH. D., D. D.,	{ 525 Beacon St., Boston, Mass.
LL. D. (1894).....	
WOOD, HENRY C. (1902).....	Harrodsburg, Ky.

ASSOCIATE MEMBERS.

ANDREWS, CHARLES LEE (1911).....	42 Broadway, New York.
ASHBURNER, THOMAS (1917).....	{ Care Babcock & Wilcox Co., Chicago, Ill.
BALTZELL, HENRY E. (1914).....	Wyncote, Montgomery Co., Pa.
BALTZELL, WM. HEWSON (1915).....	Wellesley, Mass.
BELL, ALEX. H. (1916).....	313 John Marshall Pl., Wash., D. C.
BENSON, HARRY L. (1910).....	{ 330 North Maple Avenue, East Orange, N. J.
BLUNT, MRS. J. Y. MASON (1919)....	"The Toronto," Wash., D. C.
BODDIE, JOHN THOMAS (1918).....	8 S. Dearborn St., Chicago, Ill.
BOND, BEVERLY W., JR. (1909).....	Purdue University, Lafayette, Ind.
BOURGEOISE, MRS. A. CALVERT (1911)	{ 4156 Westminster Place, St. Louis, Mo.
BOUVIER, MRS. HENRIETTA J. (1919)	201 W. 37th St., New York.
BRUMBAUGH, GAIUS MARCUS, M. D.	{ 905 Mass. Ave., N. W., Wash., D. C.
(1915)	
BUCHANAN, BRIG. GEN. J. A. (1909)....	2210 Massachusetts Av., Wash., D. C.
BULLITT, WILLIAM MARSHALL (1914)	{ 1200 Lincoln Bank Bldg., Louisville, Ky.
CALLAHAN, GRIFFIN C. (1902).....	1012 S. 60th St., Phila., Pa.
COVINGTON, PROF. HARRY F. (1914)....	Princeton, N. J.
DAVIES, G. C. (1917).....	Wauseon, Ohio.
DENT, LOUIS A. (1905).....	2827 15th St., Washington, D. C.
DEVITT, REV. EDW. I., S. J. (1906)....	Georgetown College, Wash'n, D. C.
DUVAL, HENRY RIEMAN (1916).....	32 Nassau St., New York.
EATON, G. G. (1894).....	416 N. J. Ave., S. E., Wash., D. C.
FITZHUGH, E. H. (1908).....	Neptune Park, New London, Conn.

- FLOWER, JOHN SEBASTIAN (1909).....611 18th St., Denver, Colorado.
FOY, MISS MARY E. (1913).....Box 90, R. D. No. 1, Los Angeles, Cal.
GIFFORD, W. L. R. (1906).....St. Louis Merc. Lib. Assoc., Mo.
GOBRIGHT, MRS. FRANCIS M. (1917)....213 Park Road, Carnegie, Pa.
GORDON, MRS. BURGESS LEE (1916)....306 N. 3rd St., Steubenville, Ohio.
GUILDAY, REV. PETER, PH. D. (1915)...Catholic University, Wash., D. C.
HARRISON, WM. PRESTON (1906).....1021 Laurence St., Chicago, Ill.
*HENDERSON, C. E. (1907).....Easton, Md.
HENRY, MRS. EFFIE L. (1917).....3019 N St., N. W., Washington, D. C.
HOFFMAN, SAMUEL V. (1910).....258 Broadway, New York.
HOPKINS, SAMUEL GOVER (1911).....923 Chestnut St., Phila., Pa.
JANIN, MRS. VIOLET BLAIR (1916)....12 Jackson Place, Washington, D. C.
JOHNSON, B. F. (1916).....926 Penna. Ave., N. W., Wash., D. C.
JOHNSON, FREDERICK T. F. (1915).....McGill Building, Washington, D. C.
LAKE, RICHARD P. (1900).....Bank of Commerce, Memphis, Tenn.
LEACH, MISS MAY ATHERTON (1907)....2118 Spruce St., Phila., Pa.
LIBBY, MRS. GEORGE F. (1919).....219 Majestic Bldg., Denver, Colo.
LITTLE, REV. FRANCIS K. (1916).....Rhinebeck, N. Y.
LITTLEJOHN, MRS. MALCOLM (1916)..Flushing, L. I., N. Y.
MCFADDEN, CHAS. (1906).....40 Walnut St., Phila., Pa.
MCIPHERSON, MRS. ROBERT W. (1916)..1240, 19th St., N. W., Wash., D. C.
MARTIN, MRS. EDWIN S. (1905).....New Straitsville, Ohio.
MORSE, WILLARD S. (1908).....Seaford, Del.
MOSS, JESSE L. (1906).....Newberry Library, Chicago, Ill.
NEWLING, C. G. (1918).....593 Riverside Drive, New York.
NORRIS, OCTAVIUS J. (1916).....The Sherwood.
OWEN-CHAHOON, MRS. M. D. (1913).. } Care H. L. Henderson, 1420 Chest-
 } nut St., Phila., Pa.
PHILLIPS, MRS. A. LATIMER (1910)....Shepherdstown, W. Va.
PIERCE, MRS. WINSLOW S. (1915).....“Dunstable,” Bayville, Long Island
RAYNER, WILLIAM B. (1914).....2641 Connecticut Ave., Wash., D. C.
ROGERS, JAMES S. (1910).....Adamstown, Md.
SCOTT, MISS CORINNE LEE (1918).....52 E. 54th St., New York City.
SELLMAN, JOHN HENRY (1917).....38 Beechcroft Rd., Newton, Mass.
SERPELL, MISS ALETHEA (1919).....Norfolk, Va.
SHEIB, S. H. (1907).....Sonora, N. C.
SPENCER, JOHN THOMPSON (1907).....1507 Spruce St., Phila., Pa.
STEVENSON, GEO. URIE (1915).....50 W. 49th St., New York City.
STEWART, FOSTER (1917).....106 N. F St., Wellington, Kan.
THRUSTON, R. C. BALLARD (1917).....Columbia Building, Louisville, Ky.
TRIPPE, PHILIP FRANCIS (1919).....P. O. Box 661, Youngstown, Ohio.
WILLIAMS, MISS LOUISA STEWART } Care Winslow Pierce, Bayville, L.
(1916) } I., N. Y.
WILSON, SAMUEL M. (1907).....Trust Co. Building, Lexington, Ky.

ACTIVE MEMBERS

Where no P. O. Address is given, Baltimore is understood.

- ABERCROMBIE, DR. RONALD T. (1916)...18 W. Franklin St.
 AGNUS, FELIX (1883).....American Office.
 *ALBERT, TALBOT J. (1917).....Stafford Hotel.
 AMES, JOSEPH S. (1910).....Charlcote Place, Guilford.
 ANDREWS, C. McLEAN, PH. D. (1907)...Yale Univ., New Haven, Conn.
 ANDREWS, MATTHEW PAGE (1911).....849 Park Ave.
 APPOLD, LEMUEL T. (1902).....Care of Colonial Trust Co.
 ARMISTEAD, GEORGE (1907).....1025 Cathedral St.
 ATKINSON, ALFRED (1917).....106 South St.
 ATKINSON, ROBERT A. (1914).....221 N. Liberty St.
 ATWOOD, WILLIAM O. (1917).....18 E. Lexington St.

 BAER, WILLIAM S., M. D. (1919).....4 E. Madison St.
 BAGBY, GEORGE P. (1916).....716 Continental Bldg.
 BAILY, G. FRANK (1908).....1025 St. Paul St.
 BAKER, J. HENRY (1910).....225 Law Bldg.
 BAKER, WILLIAM G., JR. (1916).....Care of Baker, Watts & Co.
 BALDWIN, CHAS. W., D. D. (1919)...226 W. Lafayette Ave.
 BALDWIN, SUMMERFIELD (1899).....1006 N. Charles St.
 BALL, SARA JANET (1918).....De Vere Pl., Ellicott City, Md.
 BARCLAY, MRS. D. H. (1906).....14 E. Franklin St.
 BARRETT, HENRY C. (1902)....."The Severn."
 BARBOLL, HOPE H. (1902).....Chestertown, Md.
 BARBOLL, L. WETHERED (1910).....609 Keyser Bldg.
 BARROLL, MORRIS KEENE (1917).....Chestertown, Md.
 BARRY, SAMUEL H., (1916).....715 Greenmount Ave.
 BARTLETT, J. KEMP (1900).....2100 Mt. Royal Ave.
 BARTON, RANDOLPH (1882).....207 N. Calvert St.
 BARTON, RANDOLPH, JR. (1915).....207 N. Calvert St.
 BASSETT, MRS. CHAS. WESLEY (1909)..2947 St. Paul St.
 BAYARD, RICHARD H. (1914).....707 Gaither Estate Bldg.
 *BAYLESS, WM. H. (1915).....1101-2 Fidelity Building.
 BEACHAM, MRS. HARRISON T. (1919)...313 Woodlawn Rd., Rd. Pk.
 BEACHAM, ROBERT J. (1914).....Merchants and Mfgs. Assn.
 BEALMEAR, HERMAN (1916).....1610 W. Lanvale St.
 BEATSON, J. HERBERT (1914).....Fidelity Trust Co.
 BEATTY, MRS. PHILIP ASFORDBY (1910).229 E. North Ave.
 BECK, HOWARD C. (1918).....4001 Bateman Ave.
 BEECHER, WM. GORDON (1919).....409 Calvert Bldg.
 BENJAMIN, ROLAND (1915).....Fidelity and Trust Co. of Md.
 BENSON, CARVILLE D. (1913).....1301 Fidelity Building.
 BENSON, CHAS. HODGES (1915).....515 N. Carrollton Ave.
 BERKLEY, HENRY J., M. D. (1900).....1305 Park Ave.

- BERRY, MISS CHRISTIANA D. (1907)....322 Hawthorne Road, Roland Park.
 BEVAN, H. CROMWELL (1902).....10 E. Lexington St.
 BIBBINS, ARTHUR BARNEVELD (1910)...2600 Maryland Ave.
 BIBBINS, MRS. A. B. (1906).....2600 Maryland Ave.
 BICKNELL, REV. JESSE R. (1910).....1325 Linden Ave.
 BILLSTEIN, NATHAN (1898).....The Lord Balto. Press.
 BIRCKHEAD, P. MACAULAY (1884).....Chamber of Commerce.
 BISHOP, WILLIAM R. (1916).....5 E. 27th St.
 BIXLER, DR. W. H. H. (1916).....418 N. Potomac St., Hagerstown, Md.
 BLACK, H. CRAWFORD (1902).....1113-17 Fidelity Bldg.
 BLACK, VAN LEAR (1902).....1113-17 Fidelity Bldg.
 BLACKFORD, EUGENE (1916).....200-4 Chamber of Commerce.
 BLAIR, MRS. JOSEPH (1919).....611 C, Sparrows Point.
 BLAKE, GEORGE A. (1893).....301 Law Bldg.
 BLAND, J. R. (1902).....U. S. Fidelity & Guaranty Co.
 BONAPARTE, CHAS. J., LL. D. (1883)....601 Park Ave.
 BOND, CARROLL T. (1916).....1125 N. Calvert St.
 BOND, MISS CHRISTIANA (1919).....1402 Bolton St.
 BOND, DUKE (1919).....University Club.
 BOND, G. MORRIS (1907).....315 P. O. Building.
 BOND, MISS ISABELLA M. (1918).....1402 Bolton St.
 BOND, JAMES A. C. (1902).....Westminster, Md.
 BOND, THOMAS E. (1910).....726 Reservoir St.
 BOND, MRS. W. G. (1919).....1527 Bolton St.
 BONSAI, LEIGH (1902).....511 Calvert Building.
 BOOKER, WILLIAM T., M. D. (1919)....208 W. Monument St.
 BOOKER, MRS. WILLIAM T. (1919)....208 W. Monument St.
 BORDLEY, DR. JAMES, JR. (1914).....201 Professional Bldg.
 BOSLEY, MRS. ARTHUR LEE (1912).....1406 Mt. Royal Ave.
 BOULDIN, MRS. CHAS. NEWTON (1916)..The Homewood Apts.
 BOWDOIN, HENRY J. (1890).....1000 Maryland Trust Bldg.
 BOWDOIN, MRS. WM. GRAHAM (1916)...1106 N. Charles St.
 BOWDOIN, W. GRAHAM, JR. (1909)....401 Maryland Trust Building.
 BOWEN, HERBERT H. (1915).....American Office.
 BOWEN, JESSE N. (1916).....825 Equitable Building.
 BOWERS, JAMES W., JR. (1909).....16 E. Lexington St.
 BOWERS, THOMAS D. (1916).....Chestertown, Md.
 BOWIE, CLARENCE K. (1916).....3020 N. Calvert St.
 BOYCE, FRED. G., JR., (1916).....11 E. Chase St.
 BOYCE, HEYWARD E. (1912).....Drovers National Bank.
 BOYDEN, GEORGE A. (1911).....Mt. Washington.
 BRADFORD, SAMUEL WEBSTER (1916)....Belair, Md.
 BRADY, S. PROCTOR (1919).....Brooklandville.
 BRAMBLE, FORREST (1919).....207 N. Calvert St.
 *BRANDT, MISS MINNIE (1908).....11 E. Read St.
 BRANHAM, MRS. JOSEPH H. (1919)....2200 Eutaw Place.
 BRATTAN, J. Y. (1902).....American Office.
 BRATTAN, MRS. J. Y. (1919).....1802 St. Paul St.

- BRENNAN, BERNARD A. (1919).....1111 Fidelity Bldg.
 *BRENT, MISS IDA S. (1900).....1116 Bolton St.
 BRENT, ROBERT F. (1908).....10 E. Lexington St.
 BRENT, MRS. ROBERT F. (1916).....The St. Paul Apts.
 BROWN, ALEXANDER (1902).....712 Cathedral St.
 BROWN, EDWIN H., JR. (1904).....Centreville, Md.
 BROWN, FRANK (1896).....16 W. Saratoga St.
 BROWN, JOHN W. (1890).....201 Ridgewood Rd., Roland Park.
 BROWN, KIRK (1897).....1813 N. Caroline St.
 BROWN, W. McCULLOH (1919).....10 W. Hamilton St.
 BROWN, MRS. WILLIAM T. (1916).....Chestertown, Md.
 BROWNE, ARTHUR LEE (1913).....215 E. Fayette St.
 BROWNE, B. BERNARD, M. D. (1892)....510 Park Ave.
 BROWNE, REV. LEWIS BEEMAN (1907)...St. John's R't'y, Havre de Grace, Md.
 BROWNE, MARY N., M. D. (1919).....510 Park Ave.
 BRUCE, OLIVER H. (1913).....Westernport, Allegany Co., Md.
 BRUCE, OLIVER H., JR., (1913).....Cumberland, Md.
 BRUCE, W. CABELL (1909).....8 W. Mt. Vernon Place.
 BRUNE, H. M. (1902).....841 Calvert Building.
 BUCHANAN, THOMAS GITTINGS (1917)..116 Chamber of Commerce.
 BUCKLER, THOMAS H., M. D. (1913)....1201 St. Paul St.
 BURDICK, ALFRED A., M. D. (1919)....122 S. Patterson Park Ave.
 BURGAN, REV. H. W. (1910).....Annapolis, Md.
 BURGESS, MRS. EDWIN (1919).....6 E. Mt. Royal Ave.
 BURNS, F. HIGHLANDS (1919).....7 E. Eager St.
 BURTON, PAUL GIBSON (1913).....725 13th St., N. W., Wash., D. C.
 BUZBY, S. STOCKTON (1902).....1214 St. Paul St.
- CALDWELL, CHARLES C. (1917).....Liberty Grove, Md.
 CALWELL, JAMES S. (1911).....220 St. Paul St.
 CAREY, CHARLES H. (1919).....2220 N. Charles St.
 CAREY, MRS. GEORGE LEIPER (1919)....The Cecil Apts.
 CAREY, JAMES (1913).....2220 N. Charles St.
 CAREY, JAMES, JR. (1917).....838 Park Ave.
 CAREY, JOHN E. (1893)....."The Cedars," Walbrook.
 CARROLL, CHAS. BANCROFT (1915).....Doughoregan Manor, Howard Co., Md.
 CARROLL, DOUGLAS GORDON (1913).....The Washington Apt.
 CARY, WILSON MILES (1915).....18 E. Eager St.
 CATOR, FRANKLIN P. (1914).....13-15 W. Baltimore St.
 CATOR, GEORGE (1911).....803 St. Paul St.
 CATOR, SAMUEL B. (1900).....6 E. Pleasant St.
 CHAPMAN, JAMES W. JR. (1916).....2016 Park Ave.
 CHAPMAN, W. J. (1916).....2306 Eutaw Place.
 CHESTNUT, W. CALVIN (1897).....1137 Calvert Building.
 CLARK, MISS ANNA E. B. (1914).....The St. Paul Apartments.
 CLIFT, JOSIAH, JR. (1919).....212 W. Monument St.

DAWKINS, WALTER I. (1902).....1119 Fidelity Building.
DAWSON, WILLIAM H. (1892).....Law Building.
DAY, MISS MARY FORMAN (1907).....1735 New Hampshire Av., Wash., D. C.
DEAN, MARY, M. D. (1913).....901 N. Calvert St.
DEEMS, CLARENCE (1913).....The Plaza.
DEFORD, B. F. (1914).....Calvert and Lombard Street.
DEFORD, MRS. B. FRANK, (1916).....Riderwood, Md.
*DENNIS, MRS. J. UPSHUR (1919).....122 W. Franklin St.
DENNIS, JAMES U. (1907).....2 E. Lexington St.
DENNIS, JOHN M. (1919).....Union Trust Bldg.
DENNIS, SAMUEL K. (1905).....2 E. Lexington St.
DENNY, JAMES W. (1915).....1900 Linden Ave.
DETRICK, MISS LILLIE (1919).....104 E. Biddle St.
DEVECMON, WILLIAM C. (1919).....Cumberland, Md.
DICKY, CHARLES H. (1902).....{ Maryland Meter Company,
Guilford Av. and Saratoga St.
DICKY, EDMUND S. (1914).....Maryland Meter Company.
DIELMAN, LOUIS H. (1905).....Peabody Institute.
DITMAN, MISS GRACE BARROW (1919)..219 E. Biddle Street.
DITMAN, MRS. WILLIAM C. (1919)....219 E. Biddle Street.
DIXON, MRS. WILLIAM A. (1919).....207 Wendover Road, Guilford.
DOBLER, JOHN J. (1898).....114 Court House.
DODSON, HERBERT K. (1909).....2206 N. Charles St.
DONNELLY, EDWARD A. (1919).....213 N. Calvert St.
DONNELLY, WILLIAM J. (1916).....Commerce and Water Sts.
DORSEY, MISS ANNE H. E. (1919)....Ellicott City.
DOYLE, JAMES T. (1916).....204 Augusta Ave. Irvington.
DUFFY, HENRY (1916).....135 W. Lanvale St.
DUGAN, HAMMOND J. (1916).....16 E. Lexington St.
DUGAN, MISS MARY COALE (1919)....225 W. Preston St.
DUKE, W. BERNARD (1909).....Seaboard Bk., Chas. & Preston Sts.
DUKE, MRS. W. BERNARD (1908).....Riderwood, Md.
DULANEY, HENRY S. (1915).....Charles St. and Forest Aves.
DUNTON, WM. RUSH, JR., M. D. (1902)..Towson, Md.
DUVALL, RICHARD M. (1902).....16 E. Lexington St.
DUVALL, MRS. RICHARD M. (1919)....The Sherwood.
EARLE, SWEPSON (1916).....512 Munsey Building.
EASTER, ARTHUR MILLER (1918).....913 N. Charles St.
EATON, PAUL, M. D. (1917).....1306 W. Lexington St.
EGERTON, STUART (1919).....106 Elmhurst Road.
ELLCOTT, CHARLES E. (1918).....Melvale, Md.
ELLIOTT, MRS. LILY TYSON (1915).....522 Park Ave.
ELMER, LEWIS S. (1916).....2011 Callow Ave.
EVANS, H. G. (1918).....818 University Parkway.
FAHNESTOCK, ALBERT (1912).....2503 Madison Ave.
FALCONER, CHAS. E. (1915).....1630 Bolton St.

- FAURE, AUGUSTE (1916)..... { 3918 S. Harvard Boulevard,
Los Angeles, Calif.
- FENHAGEN, G. CORNER (1918)..... 11 E. Pleasant St.
- FERGUSON, J. HENRY (1902)..... Colonial Trust Co.
- FIELD, S. S. (1918)..... 220 St. Paul St.
- FINDLEY, MISS ELLEN B. (1919)..... 1016 Cathedral St.
- FISHER, D. K. E. (1916)..... 1301 Park Ave.
- FISHER, MISS GRACE W. (1907)..... 1610 Park Ave.
- FORD, MISS SARAH M. (1916)..... 1412 N. St., N. W., Wash'n, D. C.
- FOSTER E. EDMUNDS (1917)..... 924 Equitable Bldg.
- FOSTER, MRS. E. EDMUNDS (1917)..... 23 E. 22nd St.
- FOSTER, MRS. REUBEN (1909)..... 3507 N. Charles St.
- FOWLER, LAWRENCE HALL (1919)..... 347 N. Charles St.
- FOX, HAMILTON P., D.D. (1919)..... 753 W. Fayette St.
- FRANCE, DR. JOSEPH I. (1916)..... 15 W. Mt. Vernon Place.
- FRANCE, MRS. J. I. (1910)..... 15 W. Mt. Vernon Place.
- FREEMAN, BERNARD (1916)..... 749 Cobb St., Athens, Georgia.
- FREEMAN, J. DOUGLAS (1914)..... Orkney Road, Govans, Md.
- FREEMAN, MRS. JULIUS W. (1917).... 2731 St. Paul St.
- FRICK, GEORGE ARNOLD (1914)..... The St. James Apts.
- FRICK, J. SWAN (1895)..... Guilford.
- FRICK, JOHN W. (1916)..... 835 University Parkway.
- FRIEDENWALD, HARRY, M. D. (1919)... 1029 Madison Ave.
- FRIEDENWALD, JULIUS, M. D. (1919)... 1013 N. Charles St.
- *FRIEZ, JULIEN M. (1917)..... The Homewood.
- FRIEZ, LUCIEN L. (1917)..... The Homewood.
- FURST, FRANK A. (1914)..... 3407 Elgin Ave.
- FURST, J. HENRY (1915)..... 23 S. Hanover St.
- GAGE, MRS. EMMA ABBOTT (1911)..... Annapolis, Md.
- GAITHER, CHARLES D. (1919)..... Ellicott City, Md.
- GAITHER, THOMAS H., JR. (1916)..... 508 Cathedral St.
- GALLAGHER, MRS. HELEN M. P. (1916).. Westminster, Md.
- GAMBEL, MRS. THOS. B. (1915)..... 2017 St. Paul St.
- GANTT, MRS. HARRY BALDWIN (1915)... Millersville, Md.
- GARDINER, ASA BIRD, JR. (1912)..... 520 N. Calvert St.
- GARDNER, P. H. (1917)..... { Special Agent in Charge
Custom House, New Orleans, La.
- GARNETT, J. MERCER (1916)..... 1239 Calvert Building.
- GARRETT, JOHN W. (1898)..... Garrett Building.
- GARRETT, ROBERT (1898)..... Garrett Building.
- GARRETT, MRS. T. HARRISON (1913).... "Evergreen" Charles St. Ave.
- GARY, E. STANLEY (1913)..... 722 Equitable Building.
- GARY, JAMES A. (1892)..... 1200 Linden Ave.
- GAULT, MATTHEW (1914)..... 1422 Park Ave.
- GIBBS, JOHN S., JR. (1914)..... 1026 N. Calvert St.
- GIBSON, W. HOPPER (1902)..... Centreville, Md.

- GILLIES, MRS. M. J. (1919).....211 E. Mt. Royal Ave.
GIRDWOOD, ALLAN C. (1916).....Union Trust Building.
GITTINGS, JAMES C. (1911).....613 St. Paul St.
GITTINGS, JOHN S. (1885).....605 Keyser Building.
GLENN, JOHN, JR. (1915).....16 St. Paul St.
GLENN, JOHN M. (1905).....136 E. 19th St., New York, N. Y.
GLENN, REV. WM. LINDSAY (1905).....Emmorton, Md.
GOLD, CONRAD, M. D. (1919).....1618 Eutaw Place.
GOLDSBOROUGH, A. S. (1914).....2712 St. Paul St.
GOLDSBOROUGH, CHARLES (1908).....924 St. Paul St.
GOLDSBOROUGH, MRS. FITZHUGH (1919).....216 W. Madison St.
GOLDSBOROUGH, LOUIS P. (1914).....35 W. Preston St.
GOLDSBOROUGH, MURRAY LLOYD (1913).....Easton, Md.
GOLDSBOROUGH, PHILLIPS LEE (1915).....927 St. Paul St.
GOODNOW, DR. FRANK J. (1916).....Johns Hopkins University.
GOODRICH, G. CLEM (1916).....110 E. Redwood St.
GORDON, MRS. DOUGLAS H. (1916).....1009 N. Charles St.
GORE, CLARENCE S., D. D. S. (1902).....1006 Madison Ave.
GORSUCH, MRS. HARRY KEPLER (1919).....4 Wyndhurst Ave.
GORTER, JAMES P. (1902).....128 Court House.
GOUCHER, JOHN F., D. D. (1908).....2313 St. Paul St.
GOUGH, MRS. I. PIKE (1916).....1730 St. Paul St.
GOUGH, T. R., M. D. (1919).....Barnesville, Md.
GOULD, CLARENCE P. (1908).....Wash. Coll., Chestertown, Md.
*GRACE, JOHN W. (1917).....1227 Linden Ave.
GRAHAM, ALBERT D. (1915).....Citizens' National Bank.
GRAPE, ADRIAN H. (1919).....204 Clay St.
GRAVES, MISS EMILY E. (1916).....304 W. Monument St.
GREENWAY, MISS ELIZABETH W. (1917).....2322 N. Charles St.
GREENWAY, WILLIAM H. (1886).....2322 N. Charles St.
GREGG, MAURICE (1886).....719 N. Charles St.
GRESHAM, THOMAS BAXTER (1919).....815 Park Ave.
GRESHAM, MRS. THOS. BAXTER (1919).....815 Park Ave.
GRIEVES, CLARENCE J., D. D. S. (1904).....291 W. Madison St.
GRIFFIS, MRS. MARGARET ABELL (1913).....702 Cathedral St.
GRIFFITH, MRS. MARY W. (1890).....Stoneleigh Court, Wash., D. C.
GRINDALL, DR. CHARLES S. (1916).....5 E. Franklin St.
GRISWOLD, B. HOWELL, JR. (1913).....Alex. Brown & Sons.
HABIGHURST, MRS. CHAS. F. (1916).....1620 Bolton St.
HALL, CARY D., JR. (1919).....706 Fidelity Bldg.
HAMAN, B. HOWARD (1912).....1137 Calvert Bldg.
HAMBLETON, MRS. F. S. (1907).....Hambledune, Lutherville, Md.
HAMBLETON, T. EDWARD (1914).....Hambleton & Co., 8 S. Calvert St.
HAMMOND, EDWARD M. (1914).....803 Union Trust Bldg.
HAMMOND, JOHN MARTIN (1911)..... { 203 W. Walnut Lane,
Germantown, Pa.
HANCE, MRS. TARITHA J. (1916).....2330 Eutaw Place.

- HANCOCK, JAMES E. (1907).....2122 St. Paul St.
HANN, SAMUEL M. (1915).....108 E. Elmhurst Rd., Roland Park.
HANSON, MRS. AQUILLA B. (1907).....Ruxton, Md.
HARLAN, HENRY D., LL. D. (1894).....Fidelity Building.
HARLAN, WILLIAM H. (1916).....Belair, Md.
HARLEY, CHAS. F. (1915).....Title Building.
HARRINGTON, EMERSON C. (1916).....Cambridge, Md.
HARRIS, W. HALL (1883).....Title Building.
HARRIS, MRS. W. HALL (1919).....511 Park Ave.
HARRIS, WILLIAM BARNEY (1918).....Ten Hills.
HARRIS, WM. HUGH (1914).....1219 Linden Ave.
HARRIS, MRS. WILLIAM HUGH (1919)..1219 Linden Ave.
HARRISON, GEORGE (1915).....1615 Eutaw Pl.
HARRISON, J. EDWARD (1915).....1601 Linden Ave.
HARRISON, MRS. JOHN W. (1919).....Middle River, Md.
HARRISON, MISS REBECCA (1919).....508 Cathedral St.
HART, ROBERT S. (1915).....Fidelity Building.
HARVEY, MRS. WILLIAM P. (1919)....932 N. Charles St.
HAYDEN, WILLIAM M. (1878).....Eutaw Savings Bank.
HAYES, A. GORDON (1919).....214 W. Madison St.
HAYWARD, WILLIAM H. (1918).....110 Commerce St.
HAYWARD, F. SIDNEY (1897).....Harwood Ave., Govans, Md.
HENDERSON, CHARLES F. (1919).....Continental Trust Bldg.
HENDERSON, MRS. LOUISA P. (1919)..Cumberland, Md.
HENDERSON, ROBERT R. (1918).....Cumberland, Md.
HENNIGHAUSEN, PERCY C. (1919).....231 Courtland St.
HENRY, J. WINFIELD (1902).....107 W. Monument St.
HENRY, MRS. ROBERTA B. (1914).....Waterbury, Md.
HENRY, W. LAIRD (1915).....Cambridge, Md.
HERRING, THOMAS R. (1919).....717 N. Broadway.
HICKS, THOMAS (1919).....106 W. Madison St.
HILKEN, H. G. (1889).....4 Bishop's Road, Guilford.
HILL, JOHN PHILIP (1899).....712 Keyser Building.
HINKLEY, JOHN (1900).....215 N. Charles St.
HISKY, THOMAS FOLEY (1888).....215 N. Charles St.
HITCHCOCK, ELLA SPRAGUE (1919).....312 Strathmore Ave.
HITE, DRAYTON MEADE (1919).....1211 Madison Ave.
HOBBS, GUSTAVUS WARFIELD (1917)...Editorial Dept., The Sun.
HODGDON, MRS. ALEXANDER L. (1915)..Pearsons, St. Mary's Co., Md.
HODGES, MRS. MARGARET R. (1903).. { 142 Duke of Gloucester St.,
Annapolis, Md.
HODSON, EUGENE W. (1916).....Care of Thomas & Thompson.
HOFFMAN, J. HENRY, D.D.S. (1914)....1807 N. Charles St.
HOFFMAN, R. CURZON (1896).....1300 Continental Trust Building.
HOLLANDER, JACOB H., PH. D. (1895)..1802 Eutaw place.
HOLLOWAY, CHARLES T. (1915).....Normandie Heights, Md.
HOLLOWAY, MRS. R. ROSS (1918).....Normandie Heights, Md.

- HOMER, CHARLES C., JR. (1909).....Mt. Washington.
 HOMER, FRANCIS T. (1900).....40 Wall St., New York, N. Y.
 HOMER, MRS. JANE ABELL (1909).....Riderwood, Baltimore Co.
 HOPKINS, JOHN HOWARD (1911).....Sta. E, Mt. Washington Heights.
 HORSEY, JOHN P. (1911).....649 Title Building.
 HOWARD, CHARLES MCHENRY (1902)....901 St. Paul St.
 HOWARD, CHARLES MORRIS (1907).....1010 Munsey Bldg.
 HOWARD, HARRY C. (1907).....939 St. Paul St.
 HOWARD, JOHN D. (1917).....209 W. Monument St.
 HOWARD, MCHENRY (1881).....901 St. Paul St.
 HOWARD, WM. ROSS (1916).....Guilford Ave. and Pleasant St.
 HUBBARD, WILBUR W. (1915).....Keyser Building.
 HUGHES, ADRIAN (1895).....4104 Maine Ave, West Forest Pk.
 HUGHES, THOMAS (1886).....1018 Cathedral St.
 HULL, MISS A. E. E. (1904).....The Arundel.
 HUME, EDGAR ERSKINE, M. D. (1913)..Johns Hopkins Club.
 HUMRICHOUSE, HARRY H. (1918).....465 Potomac Ave., Hagerstown, Md.
 HUNT, CHARLES (1919).....100 Longwood Road, Roland Pk.
 HUNTER W. CARROLL (1916).....White Hall, Md.
 HUNTING, E. B. (1905).....705 Calvert Building.
 HURD, HENRY M., M. D. (1902).....1023 St. Paul St.
 HURST, CHARLES W. (1914).....24 E. Preston St.
 HURST, J. J. (1902).....Builders' Exchange.
 HYDE, ENOCH PRATT (1906).....223 W. Monument St.
 HYDE, GEO. W. (1906).....225 E. Baltimore St.

 IGLEHART, FRANCIS N. (1914).....14 E. Lexington St.
 IGLEHART, IREDELL W. (1916).....10 S. Calvert St.
 IGLEHART, JAMES D., M. D. (1893)....211 W. Lanvale St.
 IGLEHART, MRS. JAMES D. (1913).....211 W. Lanvale St.
 IJAMS, MRS. GEORGE W. (1913).....4509 Liberty Heights Ave.
 INGLE, EDWARD (1882).....The Cecil.
 INGLE, WILLIAM (1909).....1710 Park Ave.

 JACKSON, MRS. GEORGE S. (1910).....34 W. Biddle St.
 JACOBS, MRS. HENRY BARTON (1916)..11 W. Mt. Vernon Place.
 JACOBS, HENRY BARTON, M. D. (1903)..11 W. Mt. Vernon Place.
 JACOBSEN, ALFRED W. (1919).....Pen Lucy Ave.
 JAMAR, DR. J. H. (1916).....Elkton, Md.
 JAMES, NORMAN (1903).....Catonsville, Md.
 *JENKINS, E. AUSTIN (1880).....1300 St. Paul St.
 JENKINS, GEORGE C. (1883).....16 Abell Building.
 JENKINS, THOS. W. (1885).....1521 Bolton St.
 JOHNSON, J. ALTHEUS (1915).....Seat Pleasant, Prince Geo. Co., Md.
 JOHNSON, J. HEMSLEY (1916).....225 W. Monument St.
 JOHNSTON, SAMUEL, M. D. (1919).....204 W. Monument St.
 JOHNSTONE, MISS EMMA E. (1910)....855 Park Ave.

- JONES, ARTHUR LAFAYETTE (1911)... } Care of J. S. Wilson Co.,
Calvert Building.
- JONES, ELIAS, M. D. (1902).....Custom House.
- JONES, MRS. HARRY C. (1919).....2523 Madison Ave.
- JONES, T. BARTON (1914).....1213-14 Fidelity Bldg.
- JUDIK, MRS. J. HENRY (1918).....1428 Madison Ave.
- KARR, HARRY E. (1913).....1301 Fidelity Bldg.
- KEECH, EDW. P., JR. (1909).....900-901 Maryland Trust Bldg.
- KEECH, COLONEL FRANK B. (1919)....Wall St., New York.
- KEENE, MISS MARY HOLLINGSWORTH }
1917) } 8 W. Hamilton St.
- KEIDEL, GEO. C., PH. D. (1912).....300 E. Capitol St., Wash't'n, D. C.
- KELLY, HOWARD A., M. D. (1919).....1418 Eutaw Place.
- KENNEDY, JOSEPH P. (1915).....Charles and Wells Sts.
- KEYS, MISS JANE G. (1905).....208 E. Lanvale St.
- KEYSER, MRS. H. IRVINE (1894).....104 W. Monument St.
- KEYSER, R. BRENT (1894).....910 Keyser Building.
- KEYSER, W. IRVINE (1917).....206-7 Keyser Building.
- KILPATRICK, MRS. REBECCA H. (1917)..1027 St. Paul St.
- KIRK, HENRY C. (1908).....207 Longwood Road, Roland Park.
- KIRK, MRS. HENRY C. (1917).....207 Longwood Road, Roland Park.
- KIRKLAND, OGDEN A. (1889).....Belcamp, Md.
- KIRWAN, GEORGE W. (1919).....11 E. Chase St.
- KLINEFELTER, MRS. EMILY HENDRIX }
(1915) } Chestertown, Md.
- KNAPP, CHARLES H. (1916).....1418 Fidelity Building.
- KNAPP, GEORGE W. (1919).....920 N. Charles St.
- KNAPP, GEORGE W., JR. (1919).....1116 N. Calvert St.
- KNAPP, WILLIAM G. (1919).....920 N. Charles St.
- KOCH, CHARLES J. (1905).....2524 Maryland Ave.
- KNAPP, CHARLES H. (1914).....Fidelity Bldg.
- KNOX, J. H. MASON, JR., M. D. (1909)..The Severn Apts.
- KOONTZ, MISS MARY G. (1917).....307 Augusta Ave., Irvington, Md.
- LACY, BENJAMIN (1914).....1630 Linden Ave.
- LANAHAN, MRS. CHAS. M. (1915).....Washington Apartments.
- LANKFORD, H. F. (1893).....Princess Anne, Md.
- LATANÉ, JOHN HOLLADAY, PH. D., LL. D. (1913) Johns Hopkins Univ.
- LEAKIN, J. WILSON (1902).....814 Fidelity Building.
- LEDERER, LEWIS J. (1916).....Marine Bank Building.
- LEE, H. C. (1903).....Franklin Bldg.
- LEE, JOHN L. G. (1916).....511 Calvert Building.
- LEE, RICHARD LAWS (1896).....232 St. Paul St.
- LEGG, JAMES C. (1919).....217 Forest Road.
- LEGG, JOHN C., JR. (1916).....110 E. Redwood St.
- LEHR, ROBERT OLIVER (1916).....302 Exchange Place.
- LEVERING, EDWIN W. (1916).....Calvert and Redwood Sts.

LEVERING, EUGENE (1895)	26 South St.
LEVY, WILLIAM B. (1909)	11th floor, Fidelity Building.
LINTHICUM, J. CHARLES (1905)	705 St. Paul St.
LINVILLE, CHARLES H. (1918)	1935 Park Ave.
LITTIG, MRS. JOHN M. (1919)	1010 Cathedral St.
LIVEZEY, E. (1907)	22 E. Lexington St.
LJUNGSTEDT, MRS. A. O. (1915)	{ Chevy Chase, D. C. Box 46, Route 3.
LLOYD, C. HOWARD (1907)	1120 St. Paul St.
LLOYD, HENRY (1902)	Cambridge, Md.
LOCKARD, G. CARROLL, M. D. (1919)	4 E. Preston St.
LOCKWOOD, WILLIAM F., M. D. (1891)	8 E. Eager St.
LONN, MISS ELLA (1919)	Goucher College.
LORD, MRS. J. WILLIAMS (1919)	1010 Cathedral St.
LUCAS, WM. F., JR. (1909)	221 E. Baltimore St.
LURMAN, MISS MINNA (1919)	1514 Park Ave.
LYELL, J. MILTON (1916)	1163 Calvert Building.
LYON, MISS MARY A. (1916)	1209 Linden Ave.
LYTLE, WM. H. (1908)	1220 St. Paul St.
MCADAMS, REV. EDW. P. (1906)	31 Augusta Ave.
MCALLISTER, FRANCIS W. (1916)	520 Woodlawn Rd., Roland Park.
MCCLELLAN, WILLIAM J. (1866)	1208 Madison Ave.
MCCOLGAN, CHARLES C. (1916)	12 E. Lexington St.
MCCORMICK, ROBERDEAU A. (1914)	McCormick Block.
MCCORMICK, THOMAS P., M. D. (1902)	1421 Eutaw Place.
MACDONALD, J. STUART (1919)	212 N. Charles St.
MC ELROY, MRS. ELIZABETH M. (1917)	1619 McCulloh St.
MCEVOY, JAMES, JR. (1909)	533 Title Bldg.
MCEVOY, P. J. (1919)	402 Cathedral St.
*MCGAW, GEORGE K. (1902)	Charles and Mulberry Sts.
MACGILL, RICHARD G., JR. (1891)	110 Commerce St.
MACHEN, ARTHUR W. (1917)	1109 Calvert Building.
MCILVAINE, MISS E. C. (1917)	512 Park Ave.
MACKALL, W. HOLLINGSWORTH (1909)	Elkton, Md.
*MACKENZIE, GEORGE NOBRURY (1890)	2 E. Lexington St.
MACKENZIE, THOMAS (1917)	607 Continental Building.
MC KEON, MRS. E. H. (1910)	12 E. Eager St.
McKIM, MRS. HOLLINS (1916)	975 St. Paul St.
McKIM, S. S. (1902)	Savings Bank of Baltimore.
McLANE, ALLAN (1894)	Garrison, Md.
McLANE, MISS CATHERINE (1919)	211 W. Monument St.
McLANE, MISS ELIZABETH C. (1919)	211 W. Monument St.
McLANE, JAMES L. (1888)	903 Cathedral St.
McLANE, MISS SOPHIE H. (1919)	211 W. Monument St.
MACSHERRY, ALLAN (1914)	104 Charlcote Road, Guilford.
MAGRUDER, JAMES M., D. D. (1919)	1110 Madison Ave.

- MALLOY, WILLIAM MILNES (1911).....1403 Fidelity Building.
MANDELBAUM, SEYMOUR (1902).....619 Fidelity Bldg.
MANKIN, MISS OLIVIA (1919).....The Walbert.
MANLY, MRS. WM. M. (1916).....1109 N. Calvert St.
MARBURG, MISS AMELIA (1919).....6 E. Eager St.
MARBURG, WILLIAM A. (1919).....6 E. Eager St.
MARBURY, WILLIAM L. (1887).....700 Maryland Trust Building.
MARINE, MISS HARRIET P. (1915).....2514 Madison Ave.
MARRIOTT, TELFAIR W. (1916).....Burford Apts.
MARRIOTT, MRS. TELFAIR W. (1919)...The Burford Apts.
MARSDEN, MRS. CHARLES T. (1918)....1729 Bolton St.
MARSHALL, MRS. CHARLES (1917).....The Preston.
MARSHALL, JOHN W. (1902).....13 South St.
MARTIN, RICHARD T. (1919).....322 Spalding Ave.
MARYE, WILLIAM B. (1911).....222 E. Biddle St.
MASON, HARRY M. (1919).....104 St. Paul St.
MASSEY, E. THOMAS (1909).....Massey, Kent Co., Md.
MATHEWS, EDWARD B., PH. D. (1905)..Johns Hopkins University.
MAY, GEORGE (1916).....Maryland Club.
MAYNADIER, THOMAS MURRAY (1919)..Plaza Apts.
MEEKINS, LYNN R. (1908).....2418 N. Charles St.
MEIERE, T. McKEAN (1916).....1724 N. Calvert St.
MERCHANT, HENRY N. (1915).....119 E. Baltimore St.
MERRITT, ELIZABETH (1913).....3402 W. North Ave.
MIDDENDORF, J. W. (1902).....Stevenson, Md.
MILES, JOSHUA W. (1915).....Custom House.
MILLER, CHARLES R. (1916).....2216 Linden Ave.
MILLER, MRS. CHARLES R. (1916).....2216 Linden Ave.
MILLER, DECATUR H., JR. (1902).....506 Maryland Trust Building.
MILLER, EDGAR G., JR. (1916).....815 Calvert Bldg.
MILLER, PAUL H. (1918).....1224 N. Charles St.
MILLER, WALTER H. (1904)..... } Care of Burton Bros.,
 } 348 Broadway, N. Y.
MILLIGAN, JOHN J. (1916).....603 N. Charles St.
MITCHELL, JOSEPH B. (1917).....2123 N. Calvert St.
MOODY, W. RAYMOND (1911).....Chestertown, Md.
MOORE, MISS MARY WILSON (1914)....2340 N. Calvert St.
MORGAN, JOHN HURST (1896).....10 E. Fayette St.
MORGAN, WILBUR P., M.D. (1919)....315 W. Monument St.
MULLEN, REV. ALBERT OSWALD (1912)..329 E. Lafayette Ave.
MULLER, MISS AMELIA (1917).....807 W. Fayette St.
MULLIN, MISS ELIZABETH LESTER (1916) Mt. Royal Apts.
MURRAY, DANIEL M. (1902).....Elk Ridge, Md.
MURRAY, JAMES S. (1919).....4411 Greenway, Guilford.
MURRAY, RT. REV. JOHN G. (1908)....Chas. St. Av. and Univ. Parkway.
MYERS, WILLIAM STARR (1902).....104 Bayard Lane, Princeton, N. J.
MYERS, WILLIS E. (1911).....10 E. Fayette St.

- NASH, CHARLES W. (1908).....S. Broadway.
- NEAL, REV. J. ST. CLAIR (1914).....Bengies, Baltimore Co., Md.
- NELLIGAN, JOHN J. (1907).....Safe Deposit and Trust Co.
- NELSON, ALEXANDER C. (1907).....210 E. Redwood St.
- NEWCOMER, WALDO (1902).....National Exchange Bank.
- NICODEMUS, F. COURTNEY, JR. (1902).....43 E. 18th St., New York, N. Y.
- NICOLAI, CHARLES D. (1916).....4105 Pennhurst Ave.
- NOBLE, EDWARD M. (1919).....Denton, Maryland.
- NOLTING, WILLIAM G. (1919).....11 E. Chase St.
- NORRIS, MISS ELIZABETH (1919).....Hillen Rd. and Sycamore Ave.
- NORRIS, JEFFERSON D. (1914).....128 W. Lanvale St.
- NORRIS, LLOYD (1917).....Patterson Park.
- OBER, GUSTAVUS, JR. (1914).....1217 N. Charles St.
- OBER, J. HAMBLETON (1915).....1101 St. Paul St.
- ODELL, WALTER GEORGE (1910).....3021 W. North Ave.
- O'DONOVAN, CHARLES, M. D. (1890).....5 E. Read St.
- O'DONOVAN, JOHN H. (1919).....Washington Apts.
- O'DONOVAN, REV. LOUIS (1918).....31 N. Fulton Ave.
- OFFUTT, T. SCOTT (1908).....Towson, Md.
- OLIVER, JOHN R., M. D. (1919).....The Latrobe.
- OLIVER, THOMAS H. (1890).....41 University Pl., Univ. of Va.
- OLIVER, W. B. (1913).....1st floor, Garrett Building.
- OLIVIER, STUART (1913).....The News.
- O'NEILL, J. W. (1919).....Havre de Grace, Md.
- *O'NEILL, THOS. (1907).....S. W. Cor. Charles & Lexington Sts.
- OSBORNE, MISS INEZ H. (1917).....Havre de Grace, Md.
- OWEN, FRANKLIN B. (1917).....804 Guardian Bldg., Cleveland, O.
- OWENS, ALBERT S. J. (1912).....1408 Fidelity Building.
- OWENS, EDWARD B. (1915).....130 S. Charles St.
- PACA, JOHN P. (1897).....620 Munsey Building.
- PACHE, JOSEPH (1917).....1532 Harlem Ave.
- PAGE, MRS. HENRY, JR. (1919).....Fort McHenry.
- PAGE, WM. C. (1912).....Calvert Bank.
- PAGON, W. WATTERS (1916).....{ Curtis Bay Ordnance Depot,
South Baltimore P. O.
- PARKE, FRANCIS NEAL (1910).....Westminster, Md.
- PARKER, JOHN (1916).....Peabody Institute.
- PARKER, MRS. T. C. (1918).....{ 1250 Riverside Ave., Jacksonville,
Florida.
- PARR, MRS. CHAS. E. (1915).....18 E. Lafayette Ave.
- PARRAN, MRS. FRANK J. (1908).....144 W. Lanvale St.
- PARRAN, WILLIAM J. (1903).....124 S. Charles St.
- PASSANO, EDWARD B. (1916).....Towson, Md.
- PATTERSON, J. LER. (1909).....Chilham Rd., Mt. Washington.
- PATTON, MRS. JAMES H. (1913).....Guilford Manor Apts.
- PAUL, MRS. D'ARCY (1909)....."Woodlands," Gorsuch Ave.

- PEARCE, JAMES A., LL. D. (1902)..... Chestertown, Md.
PEARRE, AUBREY, JR. (1906)..... 207 N. Calvert St.
PEARRE, GEORGE A. (1919)..... P. O. Box 444, Cumberland, Md.
PEGRAM, WM. M. (1909)..... U. S. Fidelity and Guaranty Co.
PENNIMAN, THOS. D. (1911)..... 922 Cathedral St.
PENNINGTON, DR. CLAPHAM (1917).... 1530 Bolton St.
PENNINGTON, JOSIAS (1894)..... Professional Building.
PENNINGTON, MRS. JOSIAS (1916).... 1119 St. Paul St.
PENTZ, MRS. BETTIE F. (1919)..... 1646 E. Fayette St.
PERINE, E. GLENN (1882)..... 18 E. Lexington St.
*PERINE, MRS. E. GLENN (1918)..... 512 Cathedral St.
PERINE, MRS. GEORGE CORBIN (1916)... 1124 Cathedral St.
PERINE, WASHINGTON (1917)..... 607 Cathedral St.
PERKINS, ELISHA H. (1887)..... Provident Savings Bank.
PERKINS, WILLIAM H., JR. (1887)..... 1010 Munsey Bldg.
PETER, ROBERT B. (1916)..... Rockville, Md.
PHENIS, ALBERT (1919)..... { Manufacturers Record, South
and Water Sts.
PIETSCH, ANDREW J. (1919)..... 2505 Garrison Ave.
PITT, FARIS C. (1908)..... 912 N. Charles St.
PITT, HERBERT ST. JOHN (1915)..... 912 N. Charles St.
PLATT, WALTER B., M. D. (1919)..... 802 Cathedral St.
PLEASANTS, J. HALL, JR., M. D. (1898). 201 Longwood Road, Roland Park
POLLITT, L. IRVING (1916)..... 1715 Park Place.
POST, A. H. S. (1916)..... Mercantile Trust and Deposit Co.
POULTNEY, WALTER DE C. (1916)..... St. Paul and Mulberry Sts.
POWELL, WM. C. (1912)..... Snow Hill, Md.
POWELL, MRS. WILLIAM M. (1919).... Canterbury Hall.
POWELL, MRS. WM. S. (1916)..... Ellicott City, Md.
PRESTON, JAMES H. (1898)..... 916 Munsey Bldg.
PRETTYMAN, CHARLES W. (1909)..... Rockville, Md.
PRICE, DR. ELDRIDGE C. (1915)..... 1012 Madison Ave.
PRICE, WILLIAM H. J. (1917)..... 825 Equitable Building.
PURDUM, BRADLEY K. (1902)..... Hamilton, Md.
RABORG, EDWARD L. (1918)..... Hotel Rennert.
RADCLIFFE, GEO. L. P., PH. D. (1908)... 615 Fidelity Building.
RANCK, SAMUEL H. (1898)..... Public Lib'y, Grand Rapids, Mich.
RANDALL, BLANCHARD (1902)..... 200 Chamber of Commerce Bldg.
RANDALL, MRS. BLANCHARD (1919).... Cloud-Capped, Catonsville.
RANDALL, DANIEL R. (1917)..... 841 Calvert Building.
RANDOLPH, GEORGE F. (1916)..... B. & O. Building.
RAWLS, W. L. (1905)..... 700 Maryland Trust Building.
RAYNER, A. W. (1905)..... 8 E. Lexington St.
REDE, WYLLYS, D. D. (1919)..... 210 W. Madison Ave.
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- REESE, MRS. J. EVAN (1917).....110 Edgevale Road, Roland Park.
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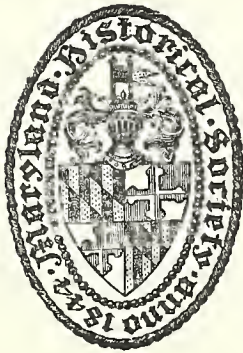
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THE OLD INDIAN ROAD¹

WILLIAM B. MARYE

PART I: VARIOUS INDIAN ROADS

Among the eighteenth-century records of Old Baltimore County there are found a considerable number of references to a highway evidently of Indian origin, sections of which, however, were at times taken over and adapted to the uses of the white settlers. This highway commonly went by the name of the Indian Road or of the Old Indian Road. There can be no

¹The reader of this article is advised to consult the Handbook of American Indians, Bulletin 30, Bureau of American Ethnology, under the titles "Trails and Trade Routes" and "Travel": "All early accounts indicate that from a period long prior to the coming of the whites the Indian was familiar with places, often hundreds of miles distant from one another, and that they travelled over the same route in coming and going." Water courses were naturally in great use, but "supplemental to these open and in time of war obviously dangerous routes were paths or trails, many of them originally made by the tracks of deer or buffalo in their seasonal migrations between feeding grounds or in search of water or salt licks. The constant passing over the same path year after year and generation after generation often so packed the soil that in places, especially on hill-sides, the paths are still traceable by depressions in the ground or by the absence or of difference in vegetation." "Many maps of the colonial period, supplemented by other records, indicate that these ways of communication extended with few breaks practically the entire length and breadth of the continent. While the streams answered in certain in-

reasonable doubt that it was the remnant of an ancient Indian trail so excellently laid off with reference to fords and to the best ground for travel under forest conditions, as to bring about its adoption by our English colonists, and so to insure its preservation intact for many years after the Indian had ceased to make use of it.

stances as suitable routes of travel, at times they had their drawbacks, owing to snags, freshets, or when the channel approached close to the shore, thus exposing persons in boats or rafts to attacks from enemies concealed in the vegetation along the banks. In many instances distant points were connected by trails." "Owing to the Indian habit of marching in single file, the eastern trails seldom exceeded eighteen inches in width, yet these were the ordinary roads of the country travelled by hunters, migrating bands, traders, embassies and war parties. So long as the trails led through friendly territory they followed the lines of least resistance." "Other things being equal the trail was not laid out on stony ground because of the rapid wearing away of footgear; nor through greenbrier nor dense brush nor laurel or other thickets, because of the difficulty of making rapid progress. These trails were generally along high ground, where the soil dried quickly, where the underbrush was least dense, where the fewest and shallowest streams were to be crossed. . . ." "In New England a dense forest growth and numerous wide rivers made travel on foot impracticable, and the birch-bark canoe was the Indian's popular means of journeying from place to place. Farther south the dug-out canoe was of such weight as to make any but the shortest carries most difficult. In the Middle States the country is more open and freer from underbrush, and the use of paths became a matter of necessity." "The Iroquois of central New York were familiar with the country as far west as the Black Hills of Dakota, whence they returned with prisoners; the same Indians went from New York to South Carolina to attack the Catawba and into Florida against the Creeks." "The Algonquin tribes journeyed from the extreme east of the United States to Montana in the west, and from the headwaters of the Saskatchewan to the Gulf of Mexico."

The reader is also referred to Archer Butler Hulbert's *Historic Highways*, Vol. 2, the original source of some of the above information. According to this author, Indian trails generally followed the ridges, because there water was most quickly shed, the wind swept the snow away in winter, and forest fires were of less frequent occurrence and were less serious on account of the lightness of the forest growth and the scarcity of underbrush. The Indian had an infallible instinct for finding the best fording-places. Indian roads usually crossed a stream at the mouth of a tributary, because at such places there were nearly always bars. "The Indian never blazed his roads. Hulbert divides Indian trails into several classes viz: trails devoted to hunting, war, portage and trade purposes.

The foregoing facts have an important bearing on the interpretation of the Old Indian Road.

These references and allusions to the course of the Old Indian Road and to places situated upon the road are sufficiently numerous to enable us, once we have interpreted them correctly, to determine accurately its route over many miles.

The fact that no unquestionable reference to the Old Indian Road earlier than March, 1730/1, is to be found in the records,² which to some may appear strange, is not difficult to explain. Such references as we have we owe to the advance and distribution of settlements in the back country, which in places was very tardy, owing generally to the barren nature of the land.³ The

² Several reliable persons, including the late Mr. Dollenberg, Surveyor for Baltimore County, have informed me of the existence of an old record providing for the laying out of a post road in Baltimore County "two perches wide on either side of an Indian trail." My informants had the impression that this post road was now a section of the Philadelphia Road or of the Old Philadelphia Road which went by the name of the Old Post Road. I have never succeeded in locating this record, which, I am quite certain, is not in the Baltimore County Court Proceedings.

³ The "barrens" covered relatively vast areas in the upper parts of the present counties of Baltimore, Harford and Carroll, the three counties created out of Old Baltimore County. It is probable that this barren land stretched without interruption from near Susquehanna River across Harford and Baltimore Counties far into Carroll. According to the testimony of eye witnesses a considerable part of these barrens was frequently really bare of trees. The remainder would be divided between "sapling land" and wooded valleys. There were the Barrens of Gunpowder and the Barrens of Patapsco. Soldiers Delight was an immense barrens. The present county of Carroll was probably regarded as a rather poor country, largely barren. So far as I can ascertain only three tracts were surveyed within the limits of Carroll County before 1732, the approximate date at which the settlement of the county began in earnest. These tracts were "Park Hall," 1727, "Kilfadda," 1729, and "Brierwood," 1731. "Caledonia," a tract containing eleven thousand six hundred and thirty-eight acres, which lies across the course of the Old Indian Road, was laid out for William Lux as late as 1764 on a small elder survey called "Georges Lott."

The invasion by settlers of the backwoods or hill country of Old Baltimore County between Susquehanna and Patapsco Rivers began about the year 1699 and was not well under way until a few years later. This was between forty and fifty years after the settlement of the "neck" or tide-water country. Settlers were deterred from establishing themselves in the backwoods because of the Indians. In what is now Harford County, in the Fork of Gunpowder River and for some distance south of Great Gun-

Indian Road is mentioned when a section of it is taken over officially and made into a county road, or when another section, spontaneously adopted by the whites as a horseback trail, is made the boundary between different "hundreds." Other references we owe to the coincidence of the Old Indian Road with the boundaries of surveys. There can certainly be little doubt that the road was known to white men long before the year 1731, and that some time at least prior to that date the white settlers had begun to utilize parts of the road in their journeys between distant points in the forest.

Earlier allusions to Indian highways are indeed not wanting in the records of Old Baltimore County; and it is important that we should consider them for the sake of the bearing they may have on the elucidation of the problem of the Old Indian Road:

On the 19th of May, 1680, a small party of Indians attacked the house of Thomas Richardson ⁴ at the head of Gunpowder River, but were put to flight by Richardson and his brother Lawrence Richardson. The following day Captain John Waterton,⁵ having been informed of the incident, raised a posse and marched to the Richardson plantation. Waterton was afterwards criticised for acting without orders from his superior officer. In a letter dated June 4th of that year Colonel George Wells of Baltimore County reported the affair to the Lord Proprietor, begging him to excuse Captain Waterton's rashness.

powder Falls at least three-fourths of the land for many miles back of tidewater was taken up between 1678 and 1705 by more or less wealthy residents of Southern Maryland, who in most cases were in no hurry to colonize their holdings. Lord Baltimore himself held a manor of nearly eight thousand acres (Gunpowder Manor) on the site of Long Green Valley, which was laid out in 1683 but was not leased out to settlers until the spring of 1720/1 and then only in part. This manor embraced some of the finest land in the county.

⁴ Later Lieut.-Col. Thomas Richardson, Chief Ranger and Surveyor for Baltimore County.

⁵ An early settler in those parts. His name has been preserved to us in that of Watson's Creek (a corruption of Waterton's Creek), a small creek of Gunpowder River below Maxwell's Point.



A MAP OF NORTHERN MARYLAND

showing sections of and points on the route of a path or highway supposedly of Indian origin known in colonial times as

"THE OLD INDIAN ROAD"

with indications of the situation of places traversed by various other Indian trails as determined from references in the colonial records of this region.

W. B. MARVE PECIT A. D. 1920

The topographical features of this map are taken from the map of the U. S. Geological Survey.

On this map a number of original place-names have been substituted for names of recent origin.

For the benefit of strangers it may be stated that several of the rivers of this region have been known from the time of the earliest settlements as "falls" and were originally named from the tidal estuaries into which they flowed or from the first colonists who settled on their banks.

To facilitate the further study of the Indian highways of this region some of the fording-places used by early settlers to cross Deer Creek, the Great Falls of Gunpowder River and Susquehanna River are indicated on this map.

P=Long Cahn Ford.

Q=Fording-place above the mouth of Long Green Run

referred to in a deposition of John Greer, 1738.

R=Ford of the Old Manor Road at Luke Stansbury's

mill where Cronwell's Bridge now stands.

S=Meredith's Ford where Meredith's Bridge now stands.

T=Bald Friar Ford on Susquehanna River.

Fords of the Great Falls of Gunpowder River used by early settlers.

EXPLANATION.

A=Approximate site of "Gabriel's Choice" laid out in 1742 on the Indian Road.

A-B=Probable course of the Old Indian Road along the ridge between Patuxent Falls and Beaver Dam Run, the line of demarcation between Delaware and Pipe Creek Hundreds, 1755.

B=C=A county road laid out on the bed of the old Indian Road, 1899. The point where this road crosses Patuxent Falls corresponds approximately with the ford of the Old Indian Road as determined from records of a hundred and fifty years earlier.

D=Probable site of the plantation of Dutton Lane, Sr. (1755) through which the Old Indian Road passed.

E=Site of Josephus Murray's plantation (1738) which was traversed by the Old Indian Road.

F-G=A section of the present Old Court Road laid out in March 1730-1731, along the course of the Old Indian Road.

H=Site of "Old Comfort" and "Rich Neck Level" and probable location of the home of Anthony Demondidier, 1680, near the road of the Seneca Indians.

J=Site of "Roper's Range" owned by Anthony Demondidier, 1680.

K=Probable site of Charles Hewitt's plantation (1693-1697) on an Indian road.

L=A small branch descending into Deer Creek near the Indian ford, 1742.

M=Johnson's Ford on Deer Creek known today as Priest's Ford.

N=Probable site of Farmer's Ford (which is doubtless identical with the ford once called "Colonel Holland's Ford").



A MAP OF NORTHERN MARYLAND

showing sections of and points on the route of a path or highway, supposed to be of Indian origin known in colonial times as

"THE OLD INDIAN ROAD"

with indications of the situation of places traversed by various other Indian trails as determined from references in the colonial records of this region.

W. B. MARY, RECTOR A. D. 1830

The topographical features of this map are taken from the map of the U. S. Geological Survey.

On this map a number of original place-names have been substituted for names of recent origin.

For the benefit of strangers it may be stated that several of the rivers of this region have been known from the time of the earliest settlements as "falls," and were originally named from the tidal estuaries into which they flowed, or from the first colonists who settled on their banks.

To facilitate the further study of the Indian highways of this region some of the landing-places used by early settlers to cross Deer Creek, the Great Falls of Gunpowder River, and Susquehanna River are indicated on this map.

- T=Ford on Susquehanna River.
- S=Merrell's Ford where Merrell's bridge now stands.
- R=Ford of the Old Manor Road at Lake Starnbury's Gunpowder River used by early settlers.
- R=Ford of the Great Falls of Gunpowder River used by early settlers.
- Q=Fording-place above the mouth of Long Green Run.
- P=Long Cain Ford.

In discussing the question of the identity of the Indians who committed the outrage, Colonel Wells has this to say:

"It does not appeare to be the Sinniquos as I feared at first for the house lyes a greate way from their roade in a neck;⁶ I have spoke with Jacob Young who has promised to inquire by all meanes what Indians they are, and it is his opinion that the Sinniquo Troopes will be downe againe about July or August, and that if your L^{SP} will be pleased to employ some person that und^rstands the language with a small party of horse to scout Mr. Anthony Demondidiers whose house lyes neere their roade that your L^{SP} might happily thereby come to speech of them and by that meanes prevent much their makeing inroades thus into y^r L^{SP}s Province, Jacob Young I presume will be the man, and will be sworne as is usuall for interpreters to be." (*Maryland Archives*, Vol. xv, 305-309.)

At a Council held at Matapony June 29th, 1680, the question of the predicted incursion of the Seneca Indians was taken up:

"Then taken into consideration the tenour of Coll Wells letter of the 4th instant to his L^{SP} adviseing that the Sinniquo Troopes intend downe about July or August."

"Proposed by his L^{SP} to his Councill whether or noe it might be Convenient to endeavor to speake with the said Indians and treat with them touching the late league made with them in ord^r to prevent their makeing any incursions upon the ffron-tier Plantations that lye in their roade, what meanes were fitt

⁶ Various evidences point to the conclusion that Thomas Richardson lived on a tract acquired by him in 1673 called "Taylor's Mount," which lies at the confluence of Gunpowder and Bird's Rivers opposite Joppa, in the neck between the two tidal rivers and the Great Falls of Gunpowder, and is known today as Taylor's Mount Farm. In 1683 the Baltimore County Court authorized the keeping of a ferry over Gunpowder River "from the house of Thomas Richardson unto the house of Mr. James Thompson." (Baltimore County Court Proceedings, Liber 1682-1685/6, March Court, 1683.) James Thompson then owned "Taylor's Choice," the site of the town of Joppa, which descended to his widow, Anne, who married Edward Felks. It was on the land of the widow Anne Felks that Joppa was laid out. Gunpowder ferry was continued in the same place for a great many years; and a point of Gunpowder River on Taylor's Mount Farm is still known as Ferry Point.

to be used for that purpose and who they looked upon as the most proper man to be Employed therein."

"Upon mature Deliberation and Consultation whereof had it was Concluded and Advised to be very materiall and necessary to speake with the said Indians in their march downe, and that Jacob Young being a p'son that undrstands well the language of the said Indians is the fittest man they cann think to propose to his L^{spp} for that purpose. It was therefore ordered that Jacob Young being a p'son that undrstands well the language of the said Indians is the fittest man they cann think to propose to his L^{spp} for that purpose. It was therefore ordered that the said Jacob Young be accordingly Employed with power and authority from this Board to lye in waite at or neere the house of Mr. Anthony Demondidier or elsewhere in their way downe, and by all meanes possible to endeavour to speake with them. Etc." (*Archives*, Liber xv, 310. On page 311 will be found the instructions issued to Jacob Young. He is ordered to "lye in waite" for the expected Senecas "at or neere the house of Mr. Anthony Demondidier or else where in their road.")⁷

Anthony Demondidier, a native of France, came into Maryland in or prior to 1657. On April 10th, 1663, he demands 150 acres "for his service done in this Province 1657 and for his wife Katherine Demondidier 1658 and his daughter Hirkier 1658. (*Patents*, Liber 5, f. 491.) On November 1st, 1675, he purchased from Thomas Roper of Anne Arundel County three tracts situated on the Middle Branch of Patapsco River: "Cold Comfort" surveyed for Lovelace Gorsuch, "Rich Neck Level" surveyed for Charles Gorsuch, and "Roper's Range" surveyed for Thomas Roper. In this deed he is described as of Anne Arundel County. Evidence is wanting of his having owned any other lands than those conveyed to him in 1675,

⁷ A very interesting account of the life of Jacob Young is found in *Maryland Archives*, Vol. VII, p. 386-392, from which we learn that Young's orders to lie in wait for the Seneca Indians near the house of Anthony Demondidier or "elsewhere in their roade" were carried out, but no details are given. Young was accused of being in collusion with the Indians.

until the 29th of December, 1682, when he purchased from Thomas Taylor of Anne Arundel County, Esq., three hundred acres called "Timber Neck" on the north side of Patapsco River. In this deed he is described as "of Baltimore County, Gent." "Timber Neck" lies between Dundalk and the mouth of Bear Creek. Demondidier retained possession of the three tracts on the Middle Branch until the year 1698, when he conveyed them to Margaret Kiersted and others. In October, 1683, a party of strange men supposed to be Frenchmen assaulted an overseer of Thomas Brown of Severn River, and "were likewise seen near Patapsco River by one Carrington, their pretense being said to be that they hunt for Mr. Anthony Demondidier." (*Archives*, VII, 486.)

Although he apparently came into the province as a servant, Anthony Demondidier was a man of some consideration in that part of Maryland where he lived. He was naturalized in 1671. (*Archives*, Liber II, 282.) He was one of the justices of Baltimore County Court 1679-1680. (*Maryland Archives*, Liber xv, 253, 327.)

The evidence seems to be in favor of the conclusion that Demondidier removed his residence from Anne Arundel to Baltimore County not long after his purchase of the three tracts on the Middle Branch of Patapsco; that he was residing on one of these three tracts in the year 1680; and that it was through or very near to one of them that the "road" of the Seneca Indians passed.

"Ropers Range" was surveyed for Thomas Roper in 1667. It lies on the west side of the Middle Branch at the Hanover Street Bridge. The situation of this tract is revealed by the resurveys "Moale's Purchase" and "Onion's Interest." "Cold Comfort" was surveyed for Lovelace Gorsuch August 1st, 1661. "The Rich Level" or "Rich Neck Level" was surveyed for Charles Gorsuch, brother of Lovelace Gorsuch, October 29th, 1667, and adjoins "Cold Comfort" on the southwest. The situation of these two tracts is revealed by the fact that "Rich Level" is bounded by "Barley Hills" surveyed for Terlough Magelchoine March 18th, 1697/8;

"Barley Hills" was included in the famous resurvey called "Georgia" or "Mount Clare" laid out in 1732 for Charles Carroll. A careful study of the plat of "Georgia" and a comparison of it with the map of early surveys lying within the City of Baltimore published in Scharf's history discloses the fact that "Cold Comfort" and "Rich Level" alias "Rich Neck Level" lie at or in the immediate neighborhood of the site of Westport.

With these evidences in hand it seems difficult to avoid the conclusion that a highway of the Seneca Indians passed through the western part, at least, of what is now Baltimore City, and crossed Gwinns Falls near the mouth of that stream.

In a letter dated April 12th, 1686, from Thomas Thurston of Baltimore County to his "loving friend" Clement Hill of St. Mary's County, recommending the removal of the Baltimore County court house from the east side of Bush River to the south side of Winters Run, Thurston, in enumerating the advantages of the proposed new site, says that "it will be neere the path that goes from Potomock to the Susquehannah Rivers and that will encourage Strangers and enlarge our County." He also states that "there is many have taken land up and are doubtful of seateing it for fear of the heathen." (*Archives*, Vol. v, p. 473.) He argues that the establishment of the court house in this situation "would be a meanes to drive back the heathen further into the woods." At this time the settlements did not extend much, if any distance, above the mouth of Winters Run; but whether Thomas Thurston meant to recommend the placing of the new court house at the mouth of the run, or some distance away in the backwoods, is not evident; and we are therefore at a loss to locate the crossing of the "path that goes from Potomock to the Susquehannah Rivers" more exactly than within the watershed of a stream seventeen miles in length; but it hardly seems probable that Thurston intended to propose a site nearer the source than to the mouth of Winters Run. At all events this reference to a Potomac-Susquehanna trail is important in the study of Indian highways of this section, because of the well-known habit of

the early settlers of utilizing Indian roads for long wilderness journeys.⁸

In a letter dated Gunpowder (River), August 19th, 1697, from Edward Boothby, who at that time was presiding justice of Baltimore County court, to Governor Francis Nicholson (*Archives*, XXIII, pp. 188-191), there is a description of various minor outrages committed by wandering Indians on the frontier plantations of that county. Boothby thus concludes his letter:

“The last Complaint I shall trouble yo^r Excellency with is that of one Charles Hewitt an Elderly man seated upon the head of Gunpowder about ffour miles without any Inhabitants who being not only acquainted with the proceedings of the Indians in our parts but having liv’d in Virg^a formerly in the troublesome times with the Indians I sent for him in & last night he Came to me whereupon I told him that I understood he had Complained of Some Injuries lately recd: from the Indians & being intended to make your Excellency acquainted therewith required his Deposicon and accordingly gave him his oath, the forme of Deposicons I have left out for the avoiding prolixity having already I fear been too tedious the heads are as followeth Vizt ”

“The Indians for these three months last past he has observed to be more Insolent than in all the ffour years time he has been Seated before; whilst he and his wife have been out

⁸ Thomas Thurston lived on Bush River and was at one time colonel of the military forces of Baltimore County. There appears to have been a backwoods road called “Thurstons road.” I know of no other Thurston for whom it could have been named. The well-known tract, “Friends Discovery,” surveyed for Job Evans of Anne Arundel County, June 12th, 1694, is described as lying “in Baltimore County in the woods being part of a ridge called Little Britain Ridge, beginning at three bounded white oaks standing by a branch of the Herring Run near Thurstons Roade, and running thence towards Jones Falls to a bounded hickory standing on a leavell. . . .” Little Britain Ridge is the ridge dividing the watersheds of Herring Run and Jones Falls. The beginning of “Friends Discovery” probably lies not far southeast of Towson, and is contained within the limits of the resurvey called “Drunquhasle” laid out for Captain William Govane in 1755.

at work or else where about their Occasions they have Open'd his doors Enter'd his House opened his Chest taken away powder lead Shot and other things forceably in his absense before his wives face taken what ready provisions they could find; Comes on the Back of his Plantation gathers his Green Corn cutts up his Corn stalks & gathers his herbage planted for the use of his family without leave; comes into his house in companies all Arm'd & usually painted all over taking down his Arms from the Racks where they are hung & viewing them with other Jestures and postures unaccustom'd; About a fortnight since ten of them all Arm'd and painted past by his plantation under pretence of going to Potomock to Trade every one having a Rumlett containing about 3: or 4 Gallons Some full of Rum & others powder with some match coats."

"Inferences upon further Examination of the Deponent of Some Roguish design in hand."

"first the Deponent Saith th^t for four years last past he has been Seated in their walks they usually take when they move to their hunting Quarters; the Indians usually passing that way to hunt being not above a dozen or fourteen men besides women & Children."

"2dly Their Company's in moving Seldom above two or three with their families."

"3dly Their passing was peaceable modestly asking and paying for such Necessaries as they had Occasion of."

"4thly Their time of moving to their hunting Quarters was in June from whence they Return'd not till September & then in companies as they went laden with their pelt."

"on the Contrary"

"first there has past within this three months last past between fifty & sixty men all well Arm'd noe women nor children."

"2dly Their Companies ten or a dozen more or less."

"3dly They are all Arm'd painted & by Violence take whatever they have Occasion for without making any Satisfaction."

"4thly They are now Continually passing & frequently returning but seldom above one or two and they without any pelt their pretensions being that they Cannot kill any Deer."

The facts revealed by the foregoing letter may be summed up as follows:

An elderly man named Charles Hewitt was living in the year 1697 on a plantation "upon the head of Gunpowder River," and had been living in the same place for four years previous to that date.

This plantation, in 1697, was about four miles from the nearest English inhabitants.⁹

It was situated on or very near a highway followed by Indians in going to or returning from certain hunting grounds or when travelling "on the warpath."¹⁰

⁹Reference to Charles Hewitt is made in the deposition of one John Indrell taken November 30th, 1695. Indrell, it would appear, lived with a certain Thomas Litton at the head of Gunpowder River, and, for some petty offense, had become a fugitive from justice. The deponent testified that Litton hid him on an island in Gunpowder Falls, where he remained eight days almost without provisions. Finally he waded off from the island, and returned to the house of Thomas Litton, who "when he thought not fitt to keepe me any longer, he furnished me with a gun, ammunition and a tomahawk, and sent me in the woods to get my living or else starve, but could not get anything soe went to Charles Hewetts to get something to eate and was really intended to deliver myself up to Coll Richardson as I told Charles Hewett and Thomas Heath." (Baltimore County Court Proceedings, Liber G, No. 1, 1693-1696, f. 605 et seq.)

¹⁰Indians apparently continued to visit this neighborhood for some years after settlement of it had begun. In the year 1732 a land commission was held on a tract called "Heathcoat's Cottage," which lies on the northeast side of Great Gunpowder Falls, and is traversed by the present Bel Air Road on crossing the Falls. John Roberts alias Campble testified before this commission that "about twenty years ago or upwards this deponent was in company with his father in law John Campble . . . at a bounded poplar tree standing near the head of a great drain of the third branch (now called Broad Run) on the north side of the Main Falls of Gunpowder River and that his said father told this deponent that poplar was the beginning tree of Heathcoats Cottage . . . that the first time he saw this the aforesaid bounded poplar tree that then it had twelve notches regularly made three of a side in four places and no more . . . and that some time afterwards came some Indians and settled near unto the said bounded tree, and as it appeared to him had cut some more notches in the said tree and this deponent heard his said father in law and mother forbid them from cutting any more notches in the said tree for it was a bounded marked tree of the Englishmans land and that if they did not forbear

There appears to be an implication that this path went to Potomac River.

A very careful examination of the Baltimore County land records apparently reveals the fact that Charles Hewitt never bought or sold any land in this county. He was evidently a very poor man, who lived "from hand to mouth," and was, during the whole time of his residence in Baltimore County, a tenant planter.¹¹

cutting they would have a Jack a trick for them." John Greer testified before the same commission of having been informed fourteen or fifteen years before by his uncle John Taylor then Deputy Surveyor that the beginning tree of "Heathcoats Cottage" "was a bounded poplar tree which stood at the head of the first draft above Nicholas Day's plantation near to an Indian Cabbin, and that at some small distance from the place where this deponent now stands (being at a bounded poplar tree standing near the head of a great drain of the third branch on the north side of the Main Falls of Gunpowder River) there appears to have been formerly made an Indian Cabbin." (Balto. Co. Court Proceedings, Land Commissions, Liber H. W. S. No. 2, f. 144 et seq.) Many years later, in 1769, Moses Greer testified before a commission held to determine the bounds of "Sewell's Fancy" that "at three heaps or piles of stones which stand nearly in a triangle and near to a run commonly called the Broad Run and on the north or north east side of said run and near an old path formerly known by the name of Cox's Road which said three heaps or piles of stones are known by the name of the Indian Graves was the place where a tract or parcell or land called Heathcoats Cottage began or formerly had its beginning." (Baltimore County Land Records, Liber A. L. No. B, 306-214. All of these depositions are interesting.) In 1814 depositions were taken before the Chancery Court in the case of Day and Kell vs. Todd concerning the bounds of "Heathcoats Cottage," "Gassaway's Ridge," "Leafe's Chance" and "Clarksons' Hope," all of which tracts lie adjacent one to another. John B. Ford testified that thirty-five years before he had been with Moses Greer when the latter proved one of the boundaries of "Gassaway's Ridge to be at the three Indian graves sixty-six yards to the southward of the C. B. Tree." (Chancery Papers, No. 1597). The remains of the C. B. Tree and a stone marked C. B. are still to be seen about a quarter of a mile west of the old Ishmael Day house which stands on the Joppa Road between Kingsville and Fork.

¹¹He was still alive in March 1716/17, when he was treated for "distemper" at the charge of the county. (Balto. Co. Court Proceedings, Liber G. M., f. 90). The name of his wife, Anne Hewitt, occurs several times in the court proceedings. In March, 1710, Charles Hewitt and Anne his wife swore to two accounts against the estate of William Peckett. (Court Proceedings, Liber I. S. No. B, 1708-1705, f. 204.)

Fortunately, however, evidence is not lacking to show the location of the various places where he lived. In a Rent Roll of Baltimore County in the possession of the Maryland Historical Society (*Calvert Papers*, No. 583) Charles Hewitt is entered as the "possessor" of thirty acres of land called "Gates Close" surveyed in 1684 for Thomas Richardson. This land, we have definitely ascertained, lies on the south side of the Great Falls of Gunpowder River near the mouth of the falls and below the present Philadelphia Road. Even when it was surveyed this tract did not lie four miles from the nearest English inhabitants, in as much as the land at the intersection of the Great and the Little Falls, as well as the site of Joppa, had been settled since 1661.¹²

In the will of William Peckett dated April 20th, 1709, the testator provides that his son Heathcoat Peckett¹³ "doe posses quietly and injoy that part of the land called Foxhall which lyes over the little creek towards the Great Falls (whereon Charles Hewitt lately lived)." The land called "Foxhall" (surveyed for Richard Whitton, 1669) lies at the mouth and on the north side of the Great Falls of Gunpowder River, and runs up the falls to about where the railroad bridge now stands. The "little Creek" is today called The Slough, and the place where Charles Hewitt lived is known as Little Neck Field.

¹² A vivid description of an encounter in the year 1661 between Indians and the settlers about the head of Gunpowder River is given in the deposition of John Taylor which is published in the third volume of the *Archives*, page 413. John Taylor, who was one of the county magistrates, lived on "Taylor's Choice," the site of Joppa. The brothers Foster, one of whom was killed in the fight, lived at "Foster's Neck," immediately below Joppa. The names of Taylor and of the Fosters survive to this day in the names of small creeks. Edward Swanson and William Wignell owned adjacent lands in the neck between the mouths of the Great and Little Falls. The latter appears to have survived the wounds received in this battle, but, according to a record of some twenty years later, was eventually "murdered by ye Indians."

¹³ He was born in 1706. When an old man he was hanged during the Revolution at Joppa Gate, having been of Tory sentiments. A piece of the tree from which he was hanged is still preserved by a family of the neighborhood.

We must look elsewhere for a clue to the site of the plantation "upon the head of Gunpowder about four miles without any inhabitants." We find it in another Rent Roll of Baltimore County (*Calvert Papers*, No. 886) belonging to the Maryland Historical Society. The date of this Rent Roll is about 1700. In it we find Charles Hewitt credited with 150 acres, part of a tract of 375 acres called "Leafes Chance" surveyed for Francis Leafe in the year 1678. The remainder of "Leafes Chance" is divided between John Boone (100 acres) and William Lennox (125 acres).

In the large bound Rent Roll, to which we have already referred, (the date of this Rent Roll is uncertain and variable, but it is altogether later than 1700) "Leafes Chance" is found to be divided as follows: William Lennox, 125 acres; Thomas Hutchins, 100 acres; Edward Selby, 150 acres.

The tract called "Leafes Chance" lies in the Fork of Gunpowder River (the old name for the country contained between the Great and the Little Falls of Gunpowder River). The southernmost limit of this tract is between two and three miles from the head of tidewater on Gunpowder River. The tract lies on both sides of the old Joppa or Rolling Road which runs up the Fork towards Long Green, and both above and below the intersection of the Joppa and Bel Air Roads.

We have carefully followed the history of the various subdivisions of this tract. The whole tract was conveyed in 1685 by Francis Leafe to William Ramsey of Anne Arundel County.¹⁴ Ramsey was the patentee of a tract called "William the Conqueror" which adjoins "Leafes Chance" on the southwest. In deeds subsequent to 1685 "William the Conqueror" is often treated as a part of "Leafes Chance," from which circumstance some confusion naturally results. We have succeeded, however, in overcoming this difficulty, and in tracing down the descent of the three parcells into which "Leafes

¹⁴ All deeds mentioned in this article (unless some specific reference is given) are in the Baltimore County Land Records, and can readily be found from the indices.

Chance" proper was early divided. The tract begins a few hundred yards east of the Joppa Road between Kingsville and Upper Falls, and extends a mile northwest of Kingsville on the Joppa Road towards Fork, or to the neighborhood of the old Ishmael Day house.

The lower part of "Leafes Chance," comprising 100 acres, was conveyed to John Boone by Henry Hedge in the year 1700, and received the name of "John's Delight."¹⁵ Thomas Hutchins was the next possessor of this parcell, but it is not known how he obtained possession, and his title was evidently doubtful. Under the name of "Boones Delight" he bequeathed it in his will (March, 1731/2) to his son John Hutchins, who, to secure his title, resurveyed it under a warrant to escheat in the year 1745. In the resurvey the tract is described as "part of 'Leafes Chance' formerly sold by Henry Hedge et uxor to John Boone." Hutchins assigned his survey to Captain John Howard of Anne Arundel County, who lived on the land and died possessed of it in 1801. It lies along the Joppa Road, running to within about two hundred yards of the junction of the Joppa and Bel Air Roads. Some sixty-five acres of "Johns Delight" are contained within the farm called "Bellevue."

The northern part of "Leafes Chance" was conveyed by Charles Ramsey, eldest son of William Ramsey, to William Lennox in 1696. In 1706 William Lennox sold this part to William Robinson. We learn from the latter deed that the 170 acres sold by Ramsey to Lennox and by Lennox to Robinson contained 50 acres of "William the Conqueror," the remainder being part of "Leafes Chance." It is evident that this is the 125 acres part of "Leafes Chance" credited to William Lennox in the two Rent Rolls, there being a difference of only five acres. Hannah Hendon and Mary Bosworth, daughters of William Robinson, sold the land to Stephen Onion, the iron-

¹⁵ In 1696 Charles Ramsey conveyed to Edward Jones 100 acres of "Leafes Chance," beginning at the beginning tree. This tract Jones conveyed the same year to John Campbell. It can be no other than the part of "Leafes Chance" conveyed by Hedge to Boone.

master, in 1745, who later resurveyed it into a larger tract called "Onion's Prospect Hills."

The remaining or middle part of "Leafes Chance" was sold by Charles Ramsey to Edward Selby of Anne Arundel County on February 29th, 1703/4, and is described in this deed as containing 150 acres. This can be no other than the division credited to Charles Hewitt in the Rent Roll of 1700. Hewitt had probably leased this land from Charles Ramsey for ten years. When the lease expired, he went to live on "Gates Close" or on "Fox Hall," and Ramsey conveyed the land to Selby. In the deed from Ramsey to Selby that part of "Leafes Chance" is re-named "Selby's Hope," and has ever since gone by that name. "Selby's Hope" was resurveyed for one Robert Bishop March 25th, 1744, and found to contain 156 acres, only fifteen of which were cleared. (Field Book of Col. Thomas White, f. 451.) The land was escheated by Stephen Onion in 1745.

The land called "Selby's Hope," or the middle part of "Leafes Chance," lies about the village of Kingsville on the Bel Air Road. Sixty-six acres of the tract were conveyed by Edward Day to John Young Day October 17th, 1833, and now form the upper part of Bellevue Farm, lying in the angle between the Joppa Road and the road leading from Kingsville to Jerusalem Mills (formerly Lee's Mills) on the Little Falls. The remaining 100 acres include the land belonging to St. John's Church, the small Sweitzer and Wells places, the Lutheran Church property, the point between the Joppa Road leading towards Fork and the old Black Gap Road (now Lincoln Highway) leading to Bel Air, and perhaps forty acres on the west side of the Joppa Road northwest of Kingsville.

From many pieces of evidence discovered in a long and minute survey of early Baltimore County records the impression is conveyed that the invasion by settlers of the backwoods of this country above tidewater had scarcely begun before the year 1700. Certain it is that this invasion started not more than a very few years previous to that date and, at no points, more than several years later. It is the opinion of the author

that no serious objection ought to be made to our theory that Charles Hewitt in 1697 was living on "Selby's Hope" merely on the ground that this situation was then much less than four miles from the nearest inhabitants. It was, in fact, if we allow for the meanderings of forest paths, about four miles from the head of tidewater, where settlements are known to have existed.

The survey of a tract called "Jenkins Delight" laid out for Thomas Jenkins on the north side of Deer Creek May 16th, 1742, reveals an important fact to which, so far as we have been able to discover, no other allusion occurs. "Jenkins Delight" is described as lying "on the north side of Deer Creek beginning at a bounded white oak standing in the uppermost fork of a small branch running into Deer Creek near the Indian Ford on the north side of the creek." "Jenkins Delight" was resurveyed December 21, 1758, for George Williams and called "Williams Discovery." It lies about one-half mile north of Deer Creek on the road leading from Smith's Mills to Ady.¹⁶ The branch mentioned in the survey is most probably the small forked stream which rises near Ady and descends into Deer Creek about a mile and a quarter above Sandy Hook. The natural inference which we draw from the existence of a ford on Deer Creek called the Indian Ford is that an Indian highway crossed the creek at this fording-place. A vague tradition of an Indian road having formerly passed

¹⁶ I am indebted for this precise information as to the location of "Williams Discovery" to W. Elijah Somerville, Esq., Surveyor for Harford County. "Williams Discovery" is bounded on the west by "Frankfort" and "Jenkins Range" surveyed for Francis Jenkins in 1740 and 1741 respectively, and on the east by "The Father's Request" surveyed, 1721, for Richard and Ignatius Gardiner. "The Father's Request" is bounded on the north by "Brice's Purchase Corrected" and on the East by the well-known resurvey "Deer Park" laid out for Colonel Ignatius Wheeler in 1787. "Deer Park," according to Preston's "History of Harford County," lies near Ady. It is bounded on the east by "The Spittlecraft" which lies at or not far below Sandy Hook. The author has prepared a large map of tracts in this section, and is thus enabled to state with certainty that the "Williams Discovery" located by Mr. Somerville is none other than the resurvey which contains the original "Jenkins Delight."

through this neighborhood on its way to Patapsco River appears to have survived until recent times, a tradition which admirers of the Rocks of Deer Creek and believers in their Indian myths and legends may well have transferred from the vicinity of Ady to grace their own favorite section not far away.¹⁷

¹⁷ In his "Rocks of Deer Creek: their Legends and History" published in 1873 (first edition, page 31) the Rev. T. T. Wysong declares that "a short distance above the Otter Rock, on the opposite bank of Deer Creek, and in view of the 'Rocks,' is a large cavernous rock. . . . Directly opposite . . . was a narrow path, used at first by the Indians in their journeyings to and from the Rocks of Deer Creek and the waters of the Chesapeake Bay and Patapsco River, and afterwards by the original white settlers in their travel from one neighborhood to another." Dr. Wysong states in his introduction that he first saw the Rocks of Deer Creek in 1844. The author of this book acknowledges having diluted his history with a spoonful of fiction to make it more agreeable to read, so that it is certainly doing him no injustice to suppose that he may have transposed to the neighborhood of his beloved Rocks a genuine tradition of an Indian trail to Patapsco having crossed Deer Creek a few miles farther down that stream. Dr. Wysong's idea (and that of others who seem to have followed his suggestion) that the Rocks of Deer Creek were once the popular rendezvous of the Indians appears to be founded more upon the romantic character of the place than upon any reliable record or tradition.

The faint suspicion of a reference to a Deer Creek-Patapsco Indian trail lingers about the narrative of the murder of a settler on Middle River in Baltimore County, one Richard Enock, in February, 1687/8, by a stray party of Indians supposed to be Nanticokes. (*Archives*, Vol. VIII, 5, 10, 11.) Colonel George Wells, in sending in a report about the murder, says: ". . . Major Long . . . informes me that the murtherers are certainly Nanticokes. . . . Doe understand of noe Nanticoke Indians in these parts but those the murtherers belonged to consisting of four men, two woman and a child who upon committing the said murther fledd into the woods and as the Mattwass Indians say are now about Dear Creek in Susquehanough River where it is supposed they will stay till the Barque will peel that they can make Canoes to goe over to the Northern Indians."

THE ROYAL PROVINCE OF MARYLAND IN 1692

BERNARD C. STEINER

When Lionel Copley, first royal Governor of Maryland, inaugurated his government, by calling together his council, on April 6, 1692, he found that, after the trial of Major Sewall and others accused of Payne's murder, the most important matter demanding attention was the policy to be adopted towards the aborigines. On April 8 he called for Major James Smallwood of Charles County, "a near neighbor unto, and well acquainted with most or all of the Indians in the said County," and asked him to bring the "Great Men of the several Nations of the said Indians" to St. Mary's, when the legislature meets in May, that treaties might be renewed with them. For better expedition and dispatch, herein, he was empowered to press horses, if necessary.¹

The commission was fulfilled. The Indian chiefs were at the city of St. Marys on May 10, when the little town must have presented a busy sight, as the assembly was then assembling. Four days later, treaties were made between the whites and Ochotomaquath, "Emperor of Piscattaway," Maquantah, "King of Mattawoman," and Tom Calvert, "King of Chop-tico."² The three treaties are exactly the same, save that the last provides for the satisfaction of an injury done Col. Blakiston. By the treaties, the Indians are not to harbor fugitive slaves, make peace or war without consent of the whites, nor conceal amongst their number foreign or strange Indians. They must deliver to justice any murderer of an Englishman, suffer the same punishment for theft as the English, & pay a yearly tribute of a bow and two arrows. Murder of one friendly Indian by another is to be punished, as if the murdered man

¹ 8 Md. Arch. Council, p. 307.

² Md. Arch. Council, pp. 317-232; 13 Md. Arch. Assembly, p. 268.

were English. Englishmen are to suffer death, if they slay friendly Indians, that is those who come unpainted and lay down their arms when they meet the Englishmen. Indians who do not act thus, they may be slain with impunity. The privileges of crabbing, fowling, hunting, and fishing shall be preserved to the Indians inviolably.³

Before these treaties were signed, investigation was made of two complaints against the Indians. One of these complaints was made by Col. Blackiston. The other was made by a woman in Charles County, who while walking from one house to another through a strip of woods of about half a mile in extent, had been seized, struck thrice upon her head, and wounded eight times on her body, by some Indians.⁴ They tore from her arms the child she was carrying, "fled the Skin of her head," *i. e.*, scalped her, stript her naked, and left her for dead. Her horses and sheep had been slain by naked and painted warriors. The chiefs were subjected to strict interrogation, and at first denied all knowledge of the matters, but finally the Chaptico acknowledged to have killed Col. Blackiston's mare and promised to make compensation therefor.⁵

When the treaties were ratified, the "Emperor" promised to try to find out the assailants of the woman, presented a "few raccoon skins and such like" as a token of love and friendship, and asked that an order be granted him that the carrying of "strange liquors" by the English to the fort among his Indians be forbidden. The request was granted,⁶ but it is doubtful, if the order was enforced.⁷ He stated there were Delaware Indians who were at peace with the English among the tribe. Fearing lest they might not be Delawares, but some of the dreaded Senecas,⁸ the Council directed him to detain them eight days longer, that a messenger skilled in Indian lan-

³ 13 Md. Arch. Ass., p. 259.

⁴ This happened before April 27. The doctor who treated her asked for repayment from the public, 13 Md. Arch. Ass., p. 260.

⁵ 13 Md. Arch. Ass., pp. 261 to 265. ⁶ 13 Md. Arch. Ass., pp. 270-271.

⁷ 13 Md. Arch. Ass., p. 263.

⁸ Sineques.

guages be sent to find out who they are and what are their designs.⁹

The Piscataways complained of encroachments by the English on their land, as did the Chopticos. Smallwood and Blakiston were directed to enquire into this and "see that right and justice be done."¹⁰ The King of Mattawoman was told that he shall receive a "matchcoat" for every fugitive servant or slave he may take up.¹¹ Ten of the Patuxent Indians are permitted to dwell with the Chapticos.¹² In general, we find the English are striving to treat the Indians justly, but we clearly note into what a dependent condition the Maryland Indians had fallen.

The interpreter ^{12a} sent to speak to the strange Indians at the Piscataway Fort, reported that they were Senecas and that he knew some of them to have been stragglers for four or five years. He asked them, when they intended to return home, and was told, "as soon as the heat was over, for they were afraid of our rangers abroad and so kept close." No information could be obtained by him from the Indians as to events to the Northward. The Assembly voted to allow him a gratuity for his valuable services to the Province.^{12b}

The colony was in an uneasy state of mind with reference to the Indians. Though treaties had just been signed, on May 18, about three o'clock in the afternoon, a negro woman was scalped and mortally wounded by a band of about ten Indians in Charles County, while she was going between two houses of her master.^{12c} The friendly Piscataway Indians joined the rangers in the pursuit, but apparently failed to capture the miscreants. When rangers had been ordered to go out, is uncertain, but, at this time, Major Ninian Beale ^{12d} and Capt. Brightwell were in command of two bodies of men so employed.

⁹ 13 Md. Arch. Ass., p. 270.

¹⁰ 13 Md. Arch. Ass., 272.

¹¹ 13 Md. Arch. Ass., 271.

¹² 13 Md. Arch. Ass., 272.

^{12a} Jacob Young, 13 Md. Arch. Ass., 283.

^{12b} 13 Md. Arch. Ass., 310.

^{12c} 13 Md. Arch. Ass., 282.

^{12d} 13 Md. Arch. Ass., 283. For a sketch of Col. Beall see Briggs, *American Presbyterianism*, LII, 114.

In order to keep up pleasant relations with all the local tribes, the Council called in the "great men" of the Nanticokes and agreed with them that the former treaties should be kept, until they elect a new "Emperor," which was expected to be in about three months, and that then they come to make a new treaty.^{12e} In order further to settle relations with the Indians,^{12f} the Council prepared a bill prohibiting trade with the Indians without license from the Governor, and another prohibiting sale or gift of strong liquors to them. The first, as very important, the Council desired to be indefinite in duration, but apparently the Assembly took no notice of either recommendation.

The new Governor¹³ had hardly taken possession of the government, when he received a letter from Edward Randolph, announcing that he had been appointed Deputy auditor of Maryland. This Randolph is the man who was such a thorn in the side of the Puritans of New England and proved to be fully as troublesome to the dwellers in Maryland.

He hoped to come to Maryland soon, trusted Copley can get trade acts passed, & had heard that some officers in Maryland "have not done their duty." Knowing "there is a great deal to do in your parts, especially in the Eastern Country," he desired Copley "to proceed quietly, till you can have a fair blow at them."

Copley seems to have determined not so much to get "a fair blow" at others, as to get a fair portion for himself. So, in his address to the Assembly,¹⁴ at its meeting on May 10, he chiefly discoursed of himself, speaking of the restless endeavors of some persons "to obstruct" his coming, but that these "difficulties and hazards" did "not at all daunt" him from hastening to Maryland. His chief purposes were to see "a foundation laid for a lasting peace and happiness to you and your posterities, the making of wholesome laws and laying aside all heats and animosities." Especially among these wholesome laws will be one for raising supplies for the Governor's salary

^{12e} 13 Md. Arch. Ass., 323.

¹³ 8 Md. Arch. Coun., 316.

^{12f} 13 Md. Arch. Ass., 330, 331, 333, 415.

¹⁴ 13 Md. Arch. Ass., 251, 349.

and the necessary charges of government. Copley seemed to think the former the more important, though he wished the allowances for the Council and Assembly also reduced to a certain fund. In these allowances he hoped they will not come short of the neighboring colonies. After telling the Lower House to be careful not to admit unqualified persons into their body, he dismissed them, that they might choose a speaker.¹⁵ They unanimously selected Cheseldyne, who formally protested at first, but finally accepted the office and was accepted by the Governor. Cheseldyne then, in the name of the House, "prayed freedom and protection of the persons and attendants from restraint, &c., free liberty of speech in their house with due reverence and moderation, and upon all occasions free access" to the Governor. His request is granted, the delegates sworn and the Assembly began.¹⁶ Copley being somewhat unwell appointed Blakiston as president of the council, whenever he may be absent.¹⁷ With this, we see the beginning of Blakiston's pre-eminency in the government, which became more marked as Copley's administration continued.

Zealous in the endeavor to discharge public business quickly, the Lower House resolved ¹⁸ to meet daily, save Sunday, from 9 A. M. to 4 P. M.; while the Upper House, somewhat less diligent, limited the hours of its sessions to from 10 A. M. to 4 P. M. The Lower House now determined the precedence of the delegates, putting those from St. Mary's City first, and then arranging those from the counties, in the order of the establishment of the county.¹⁹ In looking over the membership of the Lower House,²⁰ it is very noticeable that most of the members were

¹⁵ 13 Md. Arch. Ass., 349. The two doorkeepers "being persons aged and debilitated from their work" were promised they should continue in office "during life, upon condition they behaved themselves well" in this office. Public service early became a refuge for derelicts.

¹⁶ 13 Md. Arch. Ass., pp. 252, 350.

¹⁷ 13 Md. Arch. Ass., 253.

¹⁸ 13 Md. Arch. Ass., 254, 266, 358, 366.

¹⁹ 13 Md. Arch. Ass., 350. The counties paid the itinerant charges of the burgesses.

²⁰ 13 Md. Arch. Ass., 377.

not signers of the memorials of two years previous. I find the names of only five²¹ signers of the revolutionary and three signers of the proprietary petitions.²² Four of the House were Quakers,²³ refused to take an oath and were thus unable to sit. The Lower House was desirous to have the assistance of all its members "in those weighty affairs" now before it and asked the Council, if a declaration of loyalty to William and Mary and faithfulness to the country would be allowed.²⁴ The Council thought that to allow this would be an "open violation of the laws of England," and so the Quakers were forced to relinquish their seats.²⁵

There were contested seats in Calvert and Cecil.²⁶ The Calvert county cases were unimportant, but the Committee on Elections²⁷ reported that Col. St. Leger Codd of Cecil ought not to sit until he was cleared from an accusation proved against him in 1690. They further urged that, since that time, he had written to Col. Henry Coursey, trying to divert the Marylanders from their allegiance. He denied the letter, but was expelled from the house.²⁸ The other three delegates of Cecil were also accused of disloyalty. One of them was also a Quaker and disqualified, and the others were said to have held court in 1690, in the name of the Lord Proprietary.²⁹ They were allowed to remain members, however, on giving good security for their good behaviour. One of them refused to do this, was expelled and ordered to be taken into custody by the sergeant-at-arms for contempt of the House.³⁰ He shortly

²¹ Kenelm, Cheseldyne and John Watson of St. Mary's; Wm. Phiney and John Edmonston of Talbot; Thos. Tasker of Calvert.

²² Hugh Sherwood of Talbot and St. Leger Codd and George Warner of Cecil.

²³ Jno. Godden of Somerset, George Warner of Cecil, Thos. Everdine of Somerset and Jno. Edmonston of Talbot. 13 Md. Arch. Ass., 252, 353.

²⁴ 13 Md. Arch. Ass., 254, 354, 358.

²⁵ 13 Md. Arch. Ass., 257, 355, 361. ²⁶ 13 Md. Arch. Ass., 353, 355.

²⁷ 13 Md. Arch., Ass., 360.

²⁸ 13 Md. Arch. Ass., 365, 366.

²⁹ Edward Jones and Geo. Warner. 13 Md. Arch. Ass., 365.

³⁰ 13 Md. Arch. Ass., 366.

repented, however, and was forgiven, but not received back as a delegate.³¹

Still another member was declared ineligible to a seat in the house Mr. John Hewett of Somerset County, as he was a clergyman.³² In order to compensate him for this disappointment, the House made him one of the chaplains and requested him "to give them a sermon tomorrow, being Sunday." This is truly a singular recompense. Mr. Hewett accepted the position.

The Lower House, on the second day of its session, adopted a code of rules for its government,³³ which are of some interest: A member must not revile another, nor call him "by his proper name but by another signification." Only one speech from any member is allowed at each reading of a bill and, when two claim the floor, the Speaker is to decide the matter. Members speaking are not to be interrupted but each must stand and "reverently" address the Speaker while "delivering his opinion." Bills shall have three readings before engrossment, a day being "intermitted" between each reading, unless this be dispensed with "upon very urgent occasion."³⁴ All arms belonging to members must be left with the doorkeeper, upon entering the house. The Speaker and eleven other members form a quorum. If a quorum be present at the beginning of the session, absent members shall be fined, unless excused by the Speaker.³⁵ Proceedings in the house are to be secret during the session. The house is to punish any misdemeanor occurring therein. Bills are not to be read but before "a full house, all committees being first called in."³⁶ When a bill is presented

³¹ 13 Md. Arch. Ass., 367, 368.

³² 13 Md. Arch. Ass., 267, 315, 396, 397.

³³ 13 Md. Arch. Ass., 264, 366.

³⁴ 13 Md. Arch. Ass., 351.

³⁵ After the first reading bills were sent the Upper House for their perusal. 13 Md. Arch. Ass., 280.

³⁶ 13 Md. Arch. Ass., 376, 405, 418.

³⁷ An unsuccessful attempt was made to have a full house to hear debates from 9 a. m. to 2 p. m. 13 Md. Arch. Ass., 357.

and no objection to it is made, the Speaker may call for the opinions of the members, in such order as he shall see fit.³⁸ Such were the simple rules which governed the Maryland Assembly.

The standing committees were three in number: of aggrievances, of privileges and elections, and of accounts. On the question of privilege, the Lower House was keen to uphold its rights and strongly protested, when several members were summoned during the session, to act under a commission of oyer and terminer. Another protest was made because the sheriff of Anne Arundel County arrested a member from that county two days before the beginning of the session.³⁹ When a private person infringed the rights of the house, by abusing "in an egregious manner" one of the members, direction was at once given⁴⁰ to take him into custody. The property, as well as the persons, of members, was protected. When the boat, belonging to the delegates of Baltimore County, was taken without their consent⁴¹ and injured while so used, the offender was summoned before the house and made to promise to repair it.

The external relations of the Province demanded little attention. Of course, an address to the King and Queen was adopted. The Lower House, on the third day of the session, voted unanimously⁴² to prepare one and a week later they sent it up to the Upper House for concurrence.⁴³ The Upper House concurred, with an amendment in the wording of the title.⁴⁴ The address is very fulsome, expressing praise to William and Mary for delivering Maryland from the "Tyrannical Popish Government (under which we have so long groaned)" and receiving the Province "into your immediate care and protection." May the "Great God of Heaven" still prosper the King and Queen.

³⁸ Randolph Brand of Charles Co. ordered to appear before Provincial Court to answer for contempt and misbehaviour against government. 13 Md. Arch. Ass., 342, 401.

³⁹ Sheriff must answer at next session. 13 Md. Arch. Ass., 417.

⁴⁰ 13 Md. Arch. Ass., 418.

⁴¹ 13 Md. Arch. Ass., 403, 406.

⁴² 13 Md. Arch. Ass., 362.

⁴³ 8 Md. Arch. Coun., 277, 315.

⁴⁴ 13 Md. Arch. Ass., 290.

The Governor of Virginia ⁴⁵ came to St. Mary's during the session, and civilities were interchanged between him and the Legislature. The Governor and Council of New York sent a letter asking for help against the Indians,⁴⁶ but the Lower House declined to do anything in the matter, thinking it rather belonging to the King, as a matter of peace and war.⁴⁷

In internal matters, we catch several echoes of the late strife between proprietary and revolutionary parties. Coode received the thanks of the Lower House for his services in England,⁴⁸ Joseph, the helpless proprietary Governor, petitioned for allowance for a horse and arms taken from him and for transcribing 30 copies of his proposal to the Assembly.⁴⁹ The Lower House paid him for the latter but not for the former, and he fades from view.

Sewall also applied for indemnification for 3 horses "prest from him" and for stock, hay, oats, and straw-fodder taken or damaged.⁵⁰ This petition the Council refused to consider, as the damages were occasioned by Sewall's "breach of articles after the surrender." He appealed to the Assembly but his petition was also rejected there.⁵¹ Madame Henrietta Maria Lloyd obtained a favorable report from a committee that the arms taken from her be returned, but no action seemed to have been taken upon the report.

The doughty Col. Jowles received a like negative answer to his request for colonel's pay for his services,⁵² and an unanimous vote of thanks from the Assembly must have been a poor substitute therefor. Feeling still ran high against the Proprietary. Articles of impeachment were drawn up against him,⁵³ and sent to the King and Queen, together with an address⁵⁴ stating that all the accusations were strictly true, complaining of his agent's acts, and of their disloyal purposes, and charging

⁴⁵ 13 Md. Arch. Ass., 406.

⁴⁷ 13 Md. Arch. Ass., 346.

⁴⁹ 13 Md. Arch. Ass., 323, 410.

⁵¹ 13 Md. Arch. Ass., 411, 335.

⁵³ 13 Md. Arch. Ass., 330.

⁴⁶ 13 Md. Arch. Ass., 274.

⁴⁸ 13 Md. Arch. Ass., 364.

⁵⁰ 13 Md. Arch. Ass., 324.

⁵² 13 Md. Arch. Ass., 413.

⁵⁴ 13 Md. Arch. Ass., 330, 344.

that, because of misappropriation by Baltimore of the moiety of the duty of two shillings per hogshead of tobacco, which should go towards the support of the government and its contingent charges, he was indebted to the Province at least £36,000 sterling, of which they can get no account from the agent.

Darnall was Baltimore's agent and relations were decidedly strained between him and the new government.⁵⁵ As soon as Copley arrived on April 9, he presented a petition that, in pursuance of the royal letter of November, 1691, he might be permitted to collect all Baltimore's dues and revenue,⁵⁶ namely: the duties of one shilling per hogshead, and 14 shillings per ton of shipping, all fines amerciements, waifs, strays, deodands, wild cattle, horses, hogs, &c., that all the land records might be delivered to him, that the Proprietary's houses and plantations might be turned over to him, and that Copley would name the ports of entry so that Darnall might place an officer at each to collect Baltimore's dues. The Council referred the petition to the Assembly,⁵⁷ permitting Darnall, in the meantime, to have all the privileges for which he asked save the fines, forfeitures, &c., which were given "for the support of government"⁵⁸ only and not as Lord of the Soil." They also refused to turn over the Land Office Records.

When the Assembly met the entire matter was laid before it.⁵⁹ The Assembly was anxious to see from his books of entries what disposition had been made of the duties collected in proprietary days and thought this a good time to obtain such inspection, but he refused to give it, saying that it would be a breach of the trust reposed in him.⁶⁰

The refusal displeased the house, which at once adopted a resolution that it had the right to find out what was done with the public revenues collected for the support of the government and that Darnall's refusal to produce the books, which he

⁵⁵ 13 Md. Arch. Ass., 311.

⁵⁷ 8 Md. Arch. Coun., 310.

⁵⁹ 13 Md. Arch. Ass., 389.

⁵⁸ 8 Md. Arch. Coun., 312.

⁵⁸ 8 Md. Arch. Coun., 312.

⁶⁰ 13 Md. Arch. Ass., 369, 386, 392.

acknowledged to be in his possession, was a "violation of the undoubted rights and privileges of this house," for which contempt Darnall should be taken into custody by the sergeant-at-arms.⁶¹

Resolutions were also passed that the 14 pence per ton and the fines and amerciaments were intended for support of government, but should be paid to Darnall "till his Majesty's pleasure is known," that public records should not be handed over to him, and that waifs and strays shall be further considered.

The next day the Assembly voted that Darnall should be confined "close in some private convenient room,"⁶² and that an answer be drawn up to his petition.

Darnall continued in confinement for about ten days, when he petitioned the Assembly for "enlargement,"⁶³ thinking he can give satisfaction to the house. If he be neither bailed nor released, his family will be ruined. The Lower House answered that he must do as they require⁶⁴ and pay the expenses of his confinement.

Meanwhile, he had petitioned Copley, telling of the treatment he received because he would not betray the trust Baltimore put in him and suggesting that this confinement was contrary to the protection granted him by the King. The Governor and Council, however, declined to interfere in the matter.⁶⁵

The Lower House⁶⁶ stated with reference to Darnall's petition, that they are willing to confirm the shilling duty per hogshead, if Baltimore grant the same conditions of plantation as formerly,⁶⁷ that, while they cannot find the original act for the 14 pence per ton, yet they know it was for a Fort Duty, not

⁶¹ 13 Md. Arch. Ass., 393.

⁶² 13 Md. Arch. Ass., 395, 396.

⁶³ 13 Md. Arch. Ass., 412.

⁶⁴ 13 Md. Arch. Ass., 412.

⁶⁵ 13 Md. Arch. Ass., 321, 322.

⁶⁶ 13 Md. Arch. Ass., 312.

⁶⁷ They say Baltimore peopled Maryland, "by unpeopling their Majesties colony of Virginia, invited in hither by a rare, fertile soil, and the specious pretence of liberty of conscience," 13 Md. Arch. Ass., 313.

a Port Duty, and hence should go to the crown for defence—not to Baltimore; that the fines and amerciaments accruing before the revolution belong to the Proprietary, those accruing since to the crown, as arising from the royal courts; that Land Records should not be given over & that the demand for waifs, strays, wild horses, and hogs can not be allowed, as it is unsuitable to “the nature and constitution of this Province, nor any new seated Plantation. Marked cattle often wander twenty miles from home, fences being so few; while unmarked cattle, formerly given to the Proprietary” for the good and benefit of the Province, should now, for the same reason, belong to the Crown. This opinion met the approval of the Council,⁶⁸ and, inasmuch as the 14 pence per ton was adjudged to be “the Country duties,” the Proprietary’s officials were forbidden longer to collect it,⁶⁹ but the naval officer was ordered to “collect it and deposit it in bank, until the royal pleasure be known.”

The question of revenue was one that took up a great deal of the Assembly’s attention.⁷⁰ On May 13, the Lower House voted to consider a supply for the support of the government and to ask the Council to furnish them with the Book of Entries of Shipping Business.⁷¹ When it was found that Darnall⁷² had the books, he was sent for with the result as stated above. The accounts of the Naval Officers were also sought, that the amount of revenue received and the manner in which it was spent might be known.⁷³ In this endeavor, the Upper House assisted to the extent of its power, though it found the task of making “any certain calculation” very difficult.⁷⁴

While getting the details as to the record of previous years, the Lower House also discussed the disposition of future revenue and decided that “200 pounds of tobacco per diem be allowed to each Burgess for his own, and his man’s charges

⁶⁸ 13 Md. Arch. Ass., 314.

⁶⁹ 13 Md. Arch. Ass., 343.

⁷⁰ 13 Md. Arch. Ass., 413, 334, 424.

⁷¹ 13 Md. Arch. Ass., 363.

⁷² 13 Md. Arch. Ass., 369, 375.

⁷³ 13 Md. Arch. Ass., 407, 408, 378, 287. They were summoned to appear before the committee at 7 a. m.

⁷⁴ 13 Md. Arch. Ass., 287, 330, 341.

and itinerant charges for boats and horses,"⁷⁵ that they would not pay the Governor 50,000 pounds of tobacco per annum, and fixed the fees other officers should receive.⁷⁶ In addition to the precedents of Maryland, the Lower House wished to know what was the tax on tobacco in Virginia and one day while sitting in Grand Committee, sent for Col. Blakiston to give them information on that subject.⁷⁷ In addition to the other taxes referred to, the Lower House decided to lay an impost of four pence per gallon upon liquors, the produce of which should be used to defray public charges.⁷⁸ This, however, was not viewed with favor by the Governor, who objected to certain other clauses in the revenue bills.⁷⁹ The Lower House refused to make the desired changes, and Copley seems to have signed the bills without them.

In connection with the question of fees, there was sure to be trouble in Maryland while she continued a province. At this session the Lower House prepared an act of "enrollment of conveyances," granting a fee to the clerk. The Upper House sent down a request that this clause be waived, "as a matter wholly vested by their majesties in the Governor with the advice of his Council."⁸⁰ At this message the spirit which was finally to destroy British power over the Colonies flared forth and the Assembly unanimously asserted the control of the people over taxation in most spirited terms,⁸¹ declaring "that it is the undoubted right of the freemen of this Province not to have any fees imposed upon them, but by consent of the freeman in the General Assembly." The Speaker, Cheseldyne, bore this message to the Council, and told them that "this liberty was

⁷⁵ 13 Md. Arch. Ass., 369, 401, 340, 377.

⁷⁶ 13 Md. Arch. Ass., 308, 378, 401, 406, 414, 416, 417.

⁷⁷ 13 Md. Arch. Ass., 398.

⁷⁸ 13 Md. Arch. Ass., 400.

⁷⁹ 13 Md. Arch. Ass., 415, 345, 420. Copley especially objected that his valuable services did not receive a larger gratuity, that no method was given for satisfying protested bills of naval officers, and that the Council did not receive proper compensation.

⁸⁰ 13 Md. Arch. Ass., 379.

⁸¹ 13 Md. Arch. Ass., 381.

established and ascertained by several acts of Parliament,"⁸² which, as well as other authorities, he produced; "the authority of which is so great as to receive no answer but by repeal of the said statutes." The Provincials had not overthrown the Proprietary, merely that they might yield to the king's officers. Copley tried to smooth matters over by saying that the instructions to which he referred were "to lessen or moderate the exorbitancy" of the fees "and not to settle them." Cheseldyne replied that they were thankful to his Majesty for this, but desire that no fees be "lessened or advanced, but by the consent of the Assembly." The Governor yielded to this demand and the people had won in the struggle to control the fees.

At this session we see the beginning of St. Mary's fall. The Statehouse was insufficient, from its "decays and leaky condition," to secure and preserve the records.⁸³ Therefore, the Council recommended that it be repaired, so as to be usable until "a more convenient place for that purpose shall be thought of and agreed on." The Lower House sent a man to look at the places needing repair, but, apparently, did nothing more and left the State House to decay.⁸⁴

Jacobitism existed in Maryland. Three Irishmen, during the session of the Assembly, sang a treasonable song publicly in the hearing of some members of the Lower House.⁸⁵ They were summoned before the Lower House,⁸⁶ apologized for their so doing, declaring they were drunk at the time, and were given a severe lecture upon their wrongdoing, made to beg the pardon of each house on their knees, and bound over to keep the peace.

The sentiment of the time towards slaves is clearly shown by the treatment of a case of cruelty on the part of a master.⁸⁷ He had maimed a mulatto girl, by cutting off her ears, as a punishment for theft and running away.⁸⁸ He did it "in

⁸² 13 Md. Arch. Ass., 382.

⁸³ 13 Md. Arch. Ass., 317, 399.

⁸⁴ 13 Md. Arch. Ass., 326, 412.

⁸⁵ 13 Md. Arch. Ass., 395.

⁸⁶ 13 Md. Arch. Ass., 398.

⁸⁷ Apparently his wife aided him in the deed.

⁸⁸ 13 Md. Arch. Ass., 302, 292.

order to reclaim her, thinking that as his slave, he might do with her as he pleased."

The Council⁸⁹ summoned him before them and at once recommended a law "to prevent the barbarous, tyrannical, and inhumane treatment" of the slaves, "as is too much practiced by some people here," and that the mulatto⁹⁰ girl above referred to be forthwith set free, "the least recompense (that) can be bestowed upon her for so barbarous a cruelty." This proposition was agreed to by the Lower House, but not unanimously.⁹¹

The most important accomplishment of this session was the enactment of a new code of laws for the State.⁹² As soon as the Assembly met a committee was appointed by the Lower House to examine and inspect the body of laws.⁹³ The Council thought it more important to begin by considering "matters of greater import, weight and moment, for the quiet peace and settlement of this Province," such as an act of recognition of the monarchs, and "an act of indemnity and some measures for the confirmation and settling of all matters, judicial and otherwise, since the late Revolution."

It is possible that the reluctance of the Council to go into conference on the "body of laws" was due to the fact that a month earlier, very soon after Copley assumed the Governorship, the Council had appointed a committee of its own⁹⁴ to "peruse and revise the body of laws of this Province and to report to this Board what necessary amendments or alterations they think fit and convenient to be made therein." These the Council intended to recommend to the Lower House in due time. The privilege of recommending laws was one they esteemed highly.⁹⁵ The Lower House at once replied to the message from the Council, agreed to prepare⁹⁶ the bills and

⁸⁹ 13 Md. Arch. Ass., 294.

⁹⁰ 13 Md. Arch. Ass., 302.

⁹¹ 13 Md. Arch. Ass., 383, 390.

⁹² 13 Md. Arch. Ass., 254.

⁹³ 13 Md. Arch. Ass., 257, 361.

⁹⁴ 8 Md. Arch. Council, 312; Edward Wynne the Attorney General, Kenelm Cheseldyne, John Llewellyn, Clerk of Council and Claybourne Lomax of Charles County.

⁹⁵ 13 Md. Arch. Ass., 296, 298.

⁹⁶ 13 Md. Arch. Ass., 272, 363, 261.

suggested, but saw no reason why this should not be done and the laws also revised. They acknowledged the task to be one requiring "most time" and "greatest difficulty," so they ask the Council to name its members of the joint committee at once, as otherwise the members appointed by the Lower House "must proceed by themselves." At this firm stand the Council yielded at once and named members of the committee. As a result of its labors, a bill was introduced "for ascertaining what laws are repealed," but the Council said, for greater certainty, it is more proper to repeal all laws made heretofore, except those expressly ratified by this Assembly.⁹⁷ The Lower House made some objection to this, but yielded finally and an act was passed repealing all public acts passed at any previous meeting of the Assembly.⁹⁸

Thus the ground was cleared for new laws. The style of those laws was a grave question. The Committee for inspection of the laws at first reported in favor⁹⁹ of "Laws made and enacted by their Sacred Majesties, William and Mary, King and Queen of England, &c, by and with the advice and consent of the Governor and Council and this General Assembly." To this the Lower House objected and wished all reference to the monarchs omitted as was done in Virginia.¹⁰⁰ The Attorney General said the Governor should not be named, as he only represented the King. His views were adopted by the Council and also by the Lower House.¹⁰¹ At the head of the laws of the session stands a very ample recognition of the monarchs¹⁰² as sovereign and, in a later chapter, it is expressly provided that "where the law of this province is silent, justice shall be administered according to the laws of England."¹⁰³

In order to preserve its records, the Assembly provided for the transcription of its journal by the clerk and its deposit in the secretary's office.¹⁰⁴ The laws were to be recorded and

⁹⁷ 13 Md. Arch. Ass., 329.

⁹⁹ 13 Md. Arch. Ass., 362.

¹⁰¹ 13 Md. Arch. Ass., 295.

¹⁰³ 13 Md. Arch. Ass., 483.

⁹⁸ 13 Md. Arch. Ass., 331, 560.

¹⁰⁰ 13 Md. Arch. Ass., 284, 377.

¹⁰² 13 Md. Arch. Ass., 425.

¹⁰⁴ 13 Md. Arch. Ass., 533.

indexed by the secretary, in return for which he shall receive "so much Tobacco as" he "shall reasonably deserve."¹⁰⁵

The Assembly fully recognized the doctrine that "every person is there present in their representatives"¹⁰⁶ and, therefore, "is bound to take notice of what is passed," yet because many new laws have been made at this session and because they "desire not the destruction of the very worst of people of this Province," they provided that the laws from henceforth shall be published, being "fairly transcribed into parchment"¹⁰⁷ and sent by the Chancellor to the sheriffs, who must proclaim them, "in what place to them shall seem most convenient." The Assembly was anxious to increase the population of the Province, and, with that purpose, passed the first general naturalization law in Maryland's history.¹⁰⁸ By the terms of this act, Governor Copley was given power to naturalize by letters patent any alien, "being already settled" in Maryland, or who should hereafter come to settle there, provided the alien take the oath of allegiance.¹⁰⁹ The liberality of the terms of this law is noteworthy, as it imposed no period of residence or requirement of religion, but it is hard to see why it should not have been made "indefinite" in time. It expired when Copley died and was not re-enacted. While the Assembly thus provided for the future, it ignored Copley's request that a bill be passed for the relief of those who had paid fees under private naturalization acts passed in the time of Governor Notley, which acts were "unadvisedly, by mistake or otherwise, dissented to" by Lord Baltimore.¹¹⁰

Though anxious for immigration, the Assembly was equally anxious to avoid undesirable immigrants¹¹¹ and so passed an

¹⁰⁵ 13 Md. Arch. Ass., 448.

¹⁰⁶ 13 Md. Arch. Ass., 467.

¹⁰⁷ Each Assembly is to fix how much tobacco the county must pay for this copy of the law.

¹⁰⁸ It also naturalized two men by special act, 13 Md. Arch. Ass., 536.

¹⁰⁹ 13 Md. Arch. Ass., 440. This act for persons of "outlandish nativity" was offered late in the session, 13 Md. Arch. Ass., 404.

¹¹⁰ 13 Md. Arch. Ass., 300, 301, 388.

¹¹¹ 13 Md. Arch. Ass., 539.

"act against the importation of convicted felons." It appears that masters of ships, merchants, and sailors procured such persons out of the "common goals" in England, that having imported them they might sell them as servants, "to the great prejudice and grievance of the good people of this Province." This practice was now forbidden under the penalty of a heavy fine and henceforth every master of a ship must make oath, on arriving in Maryland, as to whether he have felon convicts on his vessel. If such are on board, he must give bond to transport them from the Province.

Though the Assembly expressed itself so satisfied with the new Royal government, it thought it necessary to have an agent in London, "to defend and promote all things for the good of this Province and also to maintain all matters that may come in debate, or otherwise relate to the good and welfare of this Province."¹¹² To fill this post Capt. Peter Pagan, Merchant, was chosen and for past services he was voted £20 sterling.¹¹³

Since the "chiefest and only foundation"¹¹⁴ of the State is the enactment of good laws and the levy of money for the support of government, which can only be done by the consent of the freemen, through their delegates in General Assembly, provision was made for their election and summons. Elections should be free and should follow the precedents of the English parliamentary ones, as far as possible. Therefore, the Governor was given power to convene an Assembly, at any time he thought it necessary, by sending writs of election to the sheriffs. By these writs the sheriff was directed to call together immediately four or more of the Justices of the Peace, who should act as judges of election. Next he should make public proclamation, giving notice to all freemen of the county having a freehold of 50 acres of land, or personal estate valued at £40 sterling, requiring them to appear at County Court at a certain day, "within a reasonable time," and then to choose four free-

¹¹² 13 Md. Arch. Ass., 467.

¹¹³ 13 Md. Arch. Ass., 416.

¹¹⁴ 13 Md. Arch. Ass., 541.

men, qualified as voters and not keepers of ordinaries or taverns, to be delegates for the county. In St. Mary's City, the Mayor, Recorder, Alderman and Common Council chose two citizens for delegates "as heretofore hath been usual." No further writ of summons was to be sent to the delegates, who must appear at the day named in the writ sent to the sheriff, unless they give good excuse. In case other counties, or boroughs, shall be erected, they shall have the same representation as the existing ones.

Having arranged the civil government, the Assembly also provided for the military organization of the Province.¹¹⁵ The act for the "ordering and regulating the militia" for the next three years provided that each Colonel, Major, or Captain of Foot, commissioned by the Governor, should enlist into the "trained bands" as many men, between the ages of 16 and 60, as he thinks fit, so as to make the companies equal in size, and should muster, exercise, and train the companies, when and where he thinks proper, or the safety of the Province requires, or the Governor orders. Each man must be personally summoned to such muster and must bring with him "one good serviceable gun fixed and six shoots of powder." In case any man, freeman or servant, refused to enlist, to muster, or to come properly equipped, he should be fined. From the proceeds of these fines the companies may purchase a drum, colors, and other necessities. The Governor was given power to determine the number of troops of horse to be raised in each county. Troopers receive "great"¹¹⁶ pay" and were evidently expected to be men of substantial means. They must ride "good serviceable horses" of their own, and "provide themselves with good

¹¹⁵ 13 Md. Arch. Ass., 554.

¹¹⁶ The pay per calendar month of actual service was Major General 3000 lbs. Tob.; Col. of Foot, 2000; Col. of Horse, 2300; Major of Foot, 1200; Major of Horse, 1500; Capt. of Foot, 1000; Capt. of Horse, 1300; Lt. of Foot, 700; Lt. of Horse, 1000; Ensign, 600; Cornet, 900; Sergeant, 400; Quartermaster, 700; Corporal of Foot, 400; Corporal of Horse, 700; Drummer, 400; Trumpeter, 700; Private of Foot, 300; Private of Horse, 600.

able and sufficient furniture for their horses," and with swords, carbines, pistols, holsters, and ammunition for themselves." Their fines should purchase a trumpet, colors and other necessities for the troops. When in actual service, troopers were "to be found provisions at the charge of the Province" and to be repaid the value of any horse killed in the service. The pay of foot in each grade was 300 pounds of tobacco less than that of horse. All soldiers were to be paid from the public levy, passed by the Assembly. From the militia service all negroes and slaves were exempted, as were also persons in holy orders, delegates, magistrates, and constables during their term of office. Public Officers, however, must send substitutes. The militia were to be called into service at the discretion of the Governor, "for suppressing any foreign invasion, or domestic insurrection, or rebellion, or a war with any Indians." To encourage the soldiers in Indian warfare, the provision was made that "free booty, prize, pillage or plunder," as well as Indian prisoners shall be divided amongst the soldiers equally. For further encouragement of those adventuring their lives in the service of the Province, we find a pension system established. Such soldier as in military service shall "be maimed, or receive hurt so as to be rendered incapable of getting a livelihood," shall receive from the public levy a yearly pension for the time of his disability and according to its extent. So also the widow and children of every person slain in the service of the Province shall receive a competent pension. The wife was to receive this, during her widowhood: the children, "till they be of years able to get their living, or be put out apprentices." All applicants for pensions must procure a certificate from their County Court that they are "objects of charity and deserve to have such pension."

In case a soldier refuse to appear in arms "upon any foreign invasion, he shall be arrested and brought before the Justice of the Peace, and, if his excuse be not sufficient, he shall be bound over to the next Provincial Court." The Governor objected to this provision as infringing upon his power of

"exercising martial law,"¹¹⁷ but finally allowed it to pass. He also objected that the amount of 50,000 pounds of tobacco, which he and the Council were authorized to expend annually in time of peace "for the prevention of the great charge of annual Assemblies, who may meet for no other occasion but to levy the public levy, "was insufficient," in case of any "sudden invasion or insurrection," but here again he yielded, as he did also in his third objection that one press-master was enough for each hundred. The act provided that lest the people should be "abused by having their goods and provisions pressed by loose and idle fellows," the County Commissioners should appoint annually under penalty *several* press-masters for each hundred, who alone should have power to impress food, &c., though even they may not impress arms or ammunition.

A religious establishment was provided for by this Assembly, and for nearly a century from this time the Anglican was the State religion of Maryland.¹¹⁸ Previously there had been no religious establishment in the Province. By the new act, the Commissioners and Justices of each county must meet during the summer of 1692, at the Courthouse and, with the advice of the principal freeholders, must lay out the county into parishes. When these have been laid out, the Justices of the County Court must appoint a convenient day and place, within two months, when and where the freeholders of each parish shall meet and choose "six of the most able men to be a vestry."¹¹⁹ Thus the "Church of England within this Province shall have and enjoy all her rights, liberties and franchises wholly inviolable."

The vestry are to receive, preserve and employ all tobacco, wares, goods and merchandises which shall be raised for the use

¹¹⁷ 13 Md. Arch. Ass., 317.

¹¹⁸ The Governor wished a glebe of 50 acres in each parish. The Lower House postponed this until the Parishes should be laid out. 13 Md. Arch. Ass., 306, 309, 396; Ethan Allen, "Who Were the Early Settlers of Maryland," p. 11.

¹¹⁹ The Governor wished the ministers to be of the vestry. 13 Md. Arch. Ass., 306.

of the church or ministry of the parish, and as soon as enough has been received shall erect a church, according to such plan as they shall adopt. They must keep a record of their proceedings and, yearly, procure from the constables in each hundred a list of all "Taxables" in the parish, each one of whom must pay them an assessment of 40 pounds of tobacco every year. This was the first tax for religious purposes in Maryland, and was to be collected by the Sheriff, who should receive a commission therefor.¹²⁰

After the church is built, the vestrymen are to apply the proceeds of this tax to the "use and benefit of the minister." If there is no minister, such part of the tobacco, as the vestrymen think convenient, "shall be used for repairs to the church." It does not appear what was to be done with the remainder. The vestrymen were also authorized to receive any gift or bequest for the benefit of the ministry, or of the poor, and to sue for securing and preserving the "parish property" as amply as a body politic or corporate might or could do.¹²¹

In case of a vacancy in the vestry, the remaining members were given authority to select some one to fill the office for the remainder of the term.

The reasons for this act were stated to be that "in a well governed commonwealth matters of religion and the honor of God ought in the first place to be taken into serious consideration" and that nothing was "more acceptable to Almighty God than the true worship and service of him according to his Holy Word."¹²² In addition to the establishment of the Anglican

¹²⁰ Beginning with March 10, 1693. On the poll tax in Maryland see article by L. W. Wilhelm in 11 *Mag. Am. Hist.*, 38.

¹²¹ It is noteworthy that the Assembly did not create the vestry a body corporate.

¹²² All marriages must be celebrated at the church chapel, county court, or meeting house nearest the residence of the parties. The banns must be read three weeks before the ceremony and any minister or magistrate might perform the ceremony. Particular license from the Governor would excuse the parties from having the banns read. Five witnesses to the wedding were required, the liturgy of the Church of England must be used (though the minister apparently need not be of that communion)

church in Maryland, the act dealt with "the sanctifying and keeping holy of the Lord's Day," which, "by the present and all primitive churches and people," has been "esteemed" as a "principal and chief part" of worship. In Maryland, however, the day "hath been and still is, by many wicked, loud, and disorderly people, profaned and neglected by working, drunkenness, swearing, gaming and unlawful pastimes and debaucheries." This state of things seemed to the Assembly to need instant remedy, so it enacted that, for the future, no person should work on Sunday, nor permit his children, servants, or slaves so to do, save in cases of necessity or mercy, nor permit them to abuse the day by "drunkenness, swearing, gaming, fishing, hunting, or by any other sports, pastimes or recreations whatsoever." The fines for violation of this law should be used for the benefit of the poor.

Further penalties were provided for the punishment of any one selling liquor on Sunday and for knowingly permitting about his house "any tippling, drunkenness, or gaming, exercise, or pastime whatsoever."

The persons referred to in the preceding law were defined by another statute to include all males above the age of 16 and all female slaves above the same age. The constables must prepare a yearly list of such persons, repairing in person to every house to make inquiry as to taxable persons therein.¹²³ For the support of government, there were laid the imposition of 2 shillings on each hogshead of tobacco exported,¹²⁴ of 14 pence per ton on every "vessel (not properly belonging to this Province) having a deck flush fore and aft, coming in and trading within this Province,¹²⁵ and an additional tax for 3 years of 3 pence per hogshead for the support of the Governor. The two shilling duty was divided: one-half was to be paid over for the support of the Governor,¹²⁶ the other half went to the Lord Baltimore,

and the celebrant should receive as fee 100 pounds of tobacco. 13 Md. Arch. Ass., 450.

¹²³ 13 Md. Arch. Ass., 538.

¹²⁴ 13 Md. Arch. Ass., 437.

¹²⁵ 13 Md. Arch. Ass., 461.

¹²⁶ 13 Md. Arch. Ass., 441.

as previously, "in consideration of his rents and alienation money." The tonnage duty was to be applied to the payments of £30 sterling to each Councillor annually and to the purchase of arms and ammunition for the Province.

Vessels ¹²⁷ belonging to Maryland should pay only 5 shillings with 5 shillings for clearing, and no other fees as port duties or anchorage charges. A new duty was laid at this session, one of 4 pence per gallon on all imported liquors, save those from England.¹²⁸ This impost was to be applied to the paying of soldiers, discharging the arrears of the late Government, repairing Court Houses and prisons, paying the salaries of an agent in England, and of the Justices of the Provincial Court, and raising the salaries of the Councillors.

Complaint ¹²⁹ had been made, by masters of vessels, that illegal and unreasonable fees had been extorted from them for clearing, &c., and to avoid this trouble in the future an act was passed for settling naval officers fees. By this 40 shillings was fixed as the sum to be paid to the Governor for "entering, clearing, and granting permits." The Governor should find officers who should give security to execute the naval office. These are forbidden to ask or receive "any fee, gratuity, or reward." Vessels trading only to Virginia were favored and should only pay 10 shillings for clearance.

The settlement of fees and salaries was a question with which many acts were concerned. Grand jurors at the Provincial Courts were allowed 2500 pounds of tobacco for each court, and ordinary keepers at St. Mary's were allowed 500 pounds of tobacco for each juror they entertain.¹³⁰ The Chancellor, the Judge in testamentary causes, the secretary of the Province, the surveyor general and his deputies, the sheriffs, the coroners,

¹²⁷ 13 Md. Arch. Ass., 461.

¹²⁸ 13 Md. Arch. Ass., 466.

¹²⁹ 13 Md. Arch. Ass., 329, 464, 331. The Upper House suggested the fee be 30 shillings when the ship was over 100 tons and 20s. when less. The Lower House objected, saying this would lower the emoluments too much and that many more small than great ships would come yearly.

¹³⁰ 13 Md. Arch. Ass., 300, 301, 388, 501.

the court criers, the county clerks, all had fixed in sums of tobacco the amount they might charge for their respective services.¹³¹ Another act regulated the payment of fees due to sheriffs and goalers from criminal persons.¹³² The counties were not responsible for these, except in case of servants or of the execution of malefactors, or their banishment, when they had no property. Such servants should repay the county after their term of servitude had expired. The sheriffs might take no fees for serving writs or for doing any thing concerning criminal cases.¹³³ All these things they must execute "ex-officio." The sheriff in Maryland, at this time, still retained much of his early importance as a part of the local government. It was considered a grievance that there should be long continuance in office of sheriffs and their term was limited to two years.¹³⁴

The appointment of other offices was provided for. The Governor should name coroners for each county, being apparently unlimited in the number.¹³⁵ The justices of the peace, yearly, "at the first county court held after Michaelmas," should appoint a constable in every hundred, whose oath of office is given in full in the law.¹³⁶ Penalties were imposed upon a person refusing to accept any office to which he was appointed or to serve as witness or juror, or to take the required oath. Quakers were excepted from oaths and dissenters might be constables or parochial officers, executing the office by an approved deputy.

A committee composed of one deputy from each county and from the city of St. Mary's was appointed to meet on October 1, and "to lay the public levy of the province" so that it may be equal.¹³⁷ In addition to charges already allowed, "they should levy all further charges that may accrue" before October 20, provided these do not exceed 100,000 pounds of tobacco.¹³⁸ A

¹³¹ 13 Md. Arch. Ass., 309, 506, 512.

¹³² 13 Md. Arch. Ass., 550.

¹³³ 13 Md. Arch. Ass., 471.

¹³⁴ 13 Md. Arch. Ass., 468, 266.

¹³⁵ 13 Md. Arch. Ass., 515.

¹³⁶ 13 Md. Arch. Ass., 297, 302, 516.

¹³⁷ 13 Md. Arch. Ass., 465.

¹³⁸ 13 Md. Arch. Ass., 470.

similar power was given to the commissioners of the county courts, upon examination and allowance of public charges, to levy and raise tobacco to pay these charges, provided that they keep a "record fair written in a book" of these accounts and an appeal to the Provincial Court is allowed to any person aggrieved. This custom seems to have existed in the counties previous to the act, but it was now thought best to give the custom a legal sanction.

The justices of the peace were the commissioners for the county and held court six times a year.¹³⁹ The court days varied for the several counties, but, on these occasions, each commissioner must appear, make good excuse for absence, or pay 200 pounds of tobacco for the pillory, stocks, and whipping post. If only two or three of the commissioners were present, as was frequently the case in winter, all process made returnable to that court failed and plaintiffs had to sue out new writs "to the great damage and delay of suitors." To avoid this, any two commissioners, one being of the "quorum," were allowed to adjourn the court, that the writs might not be made worthless. If all cases are not disposed of on the first day, the court should meet day after day till the business is completed. The June court was especially designed for probate business, but other suits might then be heard.

No commissioners, sheriff, deputy sheriff, clerk nor deputy clerk could plead as attorney in any suit before a country court.¹⁴⁰

Extensive provisions were made concerning the estate of deceased persons.¹⁴¹ Guardians of orphans possessed of real estate must, within a month of their appointment by the commissioners, view the property together with a commissioner of the county where the land is and two other persons of good repute, and well skilled in building and plantation affairs, neither of them being kindred to the orphan, indebted nor otherwise "interested in him." The two citizens are then to

¹³⁹ 13 Md. Arch. Ass., 528.

¹⁴⁰ 13 Md. Arch. Ass., 483.

¹⁴¹ 13 Md. Arch. Ass., 499.

be sworn by the commissioner to estimate the annual value of the property and to point out where the guardian may clear up the plantation to pay the yearly rent and for necessary repairs. They must also leave a proportionate part of the land uncleared for the orphan's benefit when of age and allow for his maintenance, when his personal estate is insufficient. This is to be done so that the guardian may clear part of the land, which the English law of waste would prevent him from doing. If he clear what he has not been permitted by the assessors, he is liable to an action. In case he commits waste, by cutting down trees in another part of the plantation, the commissioners may remove him from office and appoint another guardian. Personal property demanded even more attention and the "act for the better administration of justice in probate of wills, granting administrations, recovery of legacies, and securing filial portions" is a long one. It provides¹⁴² that the commissary general hold his court once in two months at least, "regard being had to the distance of habitation of the suitors * * * and the dispatch of foreigners, who have frequent occasions to seek Justice in the court." The judge must proceed according to the laws of England then in force, or passed within the ensuing year, save as changed by the Maryland law, as "utterly impracticable." A change in the English law is made by authorizing the judge of probate to prove a will devising real estate.

Executors or administrators must file an account, within a year after the charge is given them, or have their letters of appointment revoked. Administrators, found guilty of embezzlement or waste, must repay the amount due either personally or through their bondsmen. When the account is rendered, debts or funeral expenses are first to be paid and then the widow is to receive her third and the other heirs, next of blood, have the remainder equally divided among them. Return of this division is to be made to the county court. With the inventory the administrator must transmit a list of debts, both

¹⁴² 13 Md. Arch. Ass., 430.

“sperate and desperate.” The Probate Judge is directed to send the latter to the county courts, that enquiry might be made whether the administrator had, “by fraud or otherwise, neglected to recover” these, or had “received and never accounted” for them. The county court should turn over this list to guardians and yearly call them to account for it. Negro and other slaves must not be sold by administrators, so long as there is sufficient other property to pay debts. On the contrary, they must be employed for the benefit of the creditors and heirs and, at the division, they shall be allotted to the heirs. The whole control of the orphans and their guardians was in the county court. Orphans must be “maintained and educated by the interest of their estate and encrease of their stocks.” If their estates are too small for free education, they shall be bound as apprentices, until they are 21, unless some kinsman or other charitable person shall maintain them, receiving the interest of the estate therefor. The principal of the orphan’s estate should not be used for his maintenance, nor should any account for his diet, clothes, physic, or education be allowed against it. No orphan should be committed to the care of a person of different religious faith from that of the parents. So far went the legislature in assuring the orphan of his principal at his attainment of majority that the guardian must turn over as many cattle, horses, and sheep as he received and of the same age. Money, plate, rings and jewels and indented servants were also to be turned over by the guardian in kind, but “House stuffs and lumber” might be paid in money sterling or in tobacco. Male orphans should be freed from guardianship at the age of 21, and might act as executors at the age of 17. Persons under that age appointed as executors or having the right to administer should have this duty performed during their minority by others appointed by the judge of probate. Female orphans were freed from guardianship at the age of 16, or upon marriage.

Slaves and their offspring must also be returned by guardians, who have the use of them during the minority, but must

make up the difference in value, if any "slaves be grown aged or otherwise impotent, or are lamed, and that the encrease will not make the original stock good." If guardians do not care to take this responsibility, the county court may put the slaves in the control of any other person upon any other terms, save that they may not be sold.

Guardians must give satisfactory security for the orphan's estates to the county courts. Yearly in June the court should appoint a jury of 12 men to enquire into the security and to see whether the orphans are properly maintained and educated and whether apprentices are "taught their trades, or religiously used or turned to common labor at the ax and live." Appeals were allowed from the judge of probate to the Governor. There was but one judge of probate in the colony, the commissary general, but "for the ease and benefit of the good people of this Province," he was directed to appoint a freeholder in each county to probate wills of all sorts, grant administration, prove wills and grant letters testamentary.¹⁴³ In case of contest as to right of administration, however, the judge in testamentary causes should decide the question. It will be noticed that many provisions of the law are for the benefit of minor orphans, they being evidently the chief class of heirs thought of by the Assembly. This is also shown by the fact that Maryland calls her courts of probate, orphans courts until this day.

The county courts¹⁴⁴ had a criminal jurisdiction over all cases of larceny. The severe laws of England as to robbery and housebreaking were not applied, as not agreeable to the nature of the "meanly and thinly inhabited" country. The county court, on confession of theft by the offender, or his conviction by a jury on the evidence of a sufficient witness, not the injured person, should impose on him the penalty of restoring fourfold

¹⁴³ Suggested by the Lower House. 13 Md. Arch. Ass., 370.

¹⁴⁴ 13 Md. Arch. Ass., 479. The County Courts were to pay 200 pounds of tobacco to every man (save an Indian who received "a matchcoat containing two yards of duffels," for each wolf he killed. Evidence of the killing was the production of the wolf's tongue, or ear. 13 Md. Arch. Ass., 520.

the value of the things stolen, and an additional whipping "or pilloring or both."¹⁴⁵ This penalty was imposed for the first two offences, for the third, the criminal must be sent to the Provincial Court to be judged according to English law. Hog stealing was a form of theft forbidden by an especial law.¹⁴⁶ Altering the earmarks of hogs was to be accounted as hog stealing and persons "reputed by common fame" as hog stealers might be forbidden to hunt upon any occupied land by its owner. To avoid all difficulty, all persons must register their earmarks in a court within twelve months.

To guard against criminal offenses, twice a year at least at county court, a grand jury of freeholders should be impaneled, before whom the constables must appear.

A collection of the wild rumors of the previous years probably led to the "act against divulgers of false news."¹⁴⁷ From it we learn that "many idle and busy headed people do forge and divulge false rumors and reports." For the future, these were to be bound over to the next court, where, on conviction, "if the thing related be material and that he produce not his author," the person who spread such reports should be fined and, if his inventions were malicious, give bond for good behaviour.

The same act provided an imprisonment of six months and a fine as a penalty for "defaming" the Governor, and three months imprisonment and a less fine for slandering the councillors, judges, justices, or other principal officers in relation to their several offices.

A lack¹⁴⁸ of regard for truth seems to have been dreaded by the legislators and they tell us that "several persons, void of grace and the dread of the Almighty, have and do still continue, for small profits accruing to themselves, to commit wilful and corrupt perjury." The subornation of witnesses to commit

¹⁴⁵ Law to last for three years.

¹⁴⁶ 13 Md. Arch. Ass., 477, 285, 293, 295, 297, 383, 385.

¹⁴⁷ 13 Md. Arch. Ass., 301, 322, 328, 388, 439.

¹⁴⁸ 13 Md. Arch. Ass., 548.

perjury is also a crying evil and was to be visited with a year's imprisonment and an hour in the pillory, unless the offender can pay a fine of £40 sterling. One convicted is not to be received as a witness in any future case. A perjurer shall suffer six months imprisonment, and pay £20 sterling as a fine, and shall not be received as a witness. If he cannot pay the fine, he is to be set in the pillory and "have both ears nailed." The fines were to be divided between the government, and the persons molested by reason of the offences, who might sue for their half.

Witnesses failing to appear when summoned, without good excuse, should pay a fine of £10 sterling and such further sum as the party aggrieved by their failure can recover by action of debt.

Engrossing and regrating were forbidden by two acts.¹⁴⁹ Merchants had been in the habit of purchasing tobacco, buying imported goods therewith and afterwards selling the goods at excessive rates. This is forbidden, save for "provisions and other necessities," on penalty of forfeiting all such goods or their value.

Bastardy was a form of immorality to be punished by law.¹⁵⁰ If the child was born of a servant woman, it was stated to be "to the great dishonor of God and apparent damage to Master or owner." When the woman is not able to point out the father of the child, she must atone for the loss of time to her master by such recompense as the court decide. If, however, the woman can prove by sufficient testimony who is the child's father, he must pay the whole penalty which the court may decree if he be a freeman, and half if a servant. If she can prove the man, "being a single person and a freeman," promised her marriage before seducing her, the court will either

¹⁴⁹ 13 Md. Arch. Ass., 526, 544.

¹⁵⁰ 13 Md. Arch. Ass., 501. This act seemed only to consider white servants. The Lower House, at first, proposed to compel marriage and the Upper House suggested an alternative. 13 Md. Arch. Ass., 300, 301, 377, 388, vide 8 Md. Arch. Council, 313.

compel him to fulfil his promise, or "recompense his abuse" according to "the quality and conditions of the persons."

The time of serving warrants of arrest was regulated by a statute,¹⁵¹ which recited that Sheriffs and other officers, frequently, "for their own ease and benefit," repaired "to the churches and other places of public meeting on the Sabbath day, as unto the usual places of mustering and training, * * * on purpose to serve warrants and executions and other writs, * * * by which means, men in danger of arrests have been deterred from the service of God and their majesties."

With great consideration for such men, this practice is forbidden, a warrant so executed was declared to be void and the officer was made liable to an action for false imprisonment. This freedom from arrest was, however, limited so as not to apply on training days to those who are not bound to attend musters nor qualified to vote as electors, nor, at any time, to persons charged with riot, felony, suspicion of felony, or escapes from prison.

Numerous laws were passed with reference to judicial procedure. The abuse of frivolous suits, raised by litigious persons, led to the passage of a law inflicting an amercement on all persons who are cast in their causes, be they plaintiffs or defendants.¹⁵² Especially was there an abuse because creditors,¹⁵³ "through vexatious and avaritious humour," daily bring suit against debtors without prior demand of the payment of the debt and often when the debtors are "honestly and well disposed to pay," did they "know where or to whom to pay the debt." For the future, unless the debt be a specialty, demand must first be made by the creditor, or he will be liable to lose all the costs of the suit and to suffer a suit for damages. Runaway debtors, who cannot be found, are excluded from the benefit of this act.

The question of debts owed to persons outside of the Province was a difficult one.¹⁵⁴ There had been no law to ascertain what

¹⁵¹ 13 Md. Arch. Ass., 476.

¹⁵³ 13 Md. Arch. Ass., 530.

¹⁵² 13 Md. Arch. Ass., 514.

¹⁵⁴ 13 Md. Arch. Ass., 504.

should be sufficient evidence to prove such debts and it was sometimes difficult to prove that the debt had been paid, when such was the case. To remedy these evils, the Assembly directed that debts of record should be proven by an exemplification of the record, and that other debts should be proven by witnesses before a notary public, or other public officers authorized to take depositions. All attorneys employed in the prosecution of such suits must give bond to pay costs, if the plaintiffs are cast in their suit, and further that suit can be successfully prosecuted, if both debtor and creditor are dead or the obligation is above twelve years standing. In regard to small debts, there had also been trouble,¹⁵⁵ creditors having forced debtors to appear in the Provincial Court at large expense, when the suit might have been brought in a County Court. For the future, no such suit should be prosecuted in the Provincial Court, unless it was brought for a sum of over 1500 pounds of tobacco and cask. A creditor can prove any debt, by making deposition thereto before any justice of the Provincial Court, or any two justices of a County Court. The defendant may prove in court that he has paid part of the debt and suffer judgment only for the remainder.¹⁵⁶ Persons who do not pay debts are liable to attachment and execution. Attachment may not issue against a resident until the sheriff twice returns "non est inventus" to a writ of summons. If the party be absent from the province, after one return, notice may be served on his attorney, if any, or by leaving it at his last residence. The plaintiff should give such proof as the court desires and then received an attachment against the goods, chattels, and credits of the absent debtor. The Sheriff, in executing the attachment, must make known to those in whose hands he finds the property, that they should appear at the court on the day of the return of the attachment and show cause why execution should not be had thereupon. If on the day of return of attachment neither the defendant nor the garnishee appear, the court may award execution, the plaintiff giving good security to return the property,

¹⁵⁵ 13 Md. Arch. Ass., 547.¹⁵⁶ 13 Md. Arch. Ass., 522.

if the defendant within a year and a day appear in court and show that the plaintiff had no claim to all or a part of the debt. The execution saves the garnishee from any action on the part of the defendant, but only so far as the sheriff takes the amount of the debt and costs. The following are exempted from execution: "Corn for necessary maintenance, bedding, gun, ax, pots, and laborers' necessary tools with such like household implements, and ammunition for subsistence." Those who wilfully absent themselves are to have no benefit of any favorable interpretation of the law.¹⁵⁷

In the former times, the people "had been exceedingly grieved and burthened by executions laid upon them for tobacco in the summer time,¹⁵⁸ when it was not possible for them to procure tobacco for the payment" and, consequently, were "oftentimes kept in prison a long time and thereby disabled from making and tending their crops, to the great prejudice, if not ruin, of many of the inhabitants." Henceforth, however, executions should not issue between the tenth of April and the tenth of October in any year and thus the evil would be done away.

It was not intended, nevertheless, that imprisonment for debt should cease.¹⁵⁹ In every country, there should be prisons that "creditors might be secured to have their debts paid" and that "criminals might be brought to condign punishment." If a sheriff negligently or voluntarily, permit imprisoned debtors to escape, he must pay the debt owed by the prisoners. If a criminal so escaped, the sheriff must pay 20,000 pounds of tobacco, half for the support of government and half for strengthening the prison and maintaining poor prisoners. Recaptured prisoners who had been incarcerated for felony, or other crime deserving death, should be punished with death and, if such prisoners fail in their attempt to escape, they were to be put in irons.

¹⁵⁷ If a man fly from a county to avoid execution, the Justices of the Provincial Court may award it against him. 13 Md. Arch. Ass., 538.

¹⁵⁸ 13 Md. Arch. Ass., 519.

¹⁵⁹ 13 Md. Arch. Ass., 537.

Limitations of actions were provided, which are not to be taken advantage of by persons absenting themselves or removing from county to county to avoid a debt.¹⁶⁰ Actions for account, debt, detinue, replevin, and trespass on property must be prosecuted in two years; actions on the case, trespass on the person, assault and battery, wounding, or imprisonment within one year.

Appeals from a County to the Provincial Court were permitted, the appellant giving bond to prosecute the appeal. No appeal from a judgment for debt of less than 1200 pounds of tobacco is allowed. Writs of error are also authorized.

In order that the County Courts might be properly administered,¹⁶² they were to be provided with the English Statutes and Dalton's "Justice of the Peace," at public cost, and rules of court were to be set up at the court house door.

In the past few years, "many errors and irregularities" in the proceedings of the courts had occurred because of the "divers differences and disturbances" during the late Revolution. It was, therefore, provided that, from the first of April 1690, any such errors shall be taken away, and as, from 1690 to 1692, all judicial proceedings were impeded and hindered, it was ordained that for all purposes of the statute of limitation this time should be disregarded.¹⁶³

Trade and commerce received much attention from the Assembly. Agriculture had less notice, yet, an act for encouragement of tillage permitted that, in future, payment might be made at special rates, fixed in money or tobacco, for all debts, save public levies and bills of exchange,¹⁶⁴ in "Indian corn, wheat, oats, barley, rye, peas, pork, beef or bacon. Yet this act was really to promote trade, as were all the rest. Full directions are given as to the gauge of tobacco hogsheads, and the way coopers should make them, as disregard of proper methods has been to the great prejudice of merchants and planters.¹⁶⁵ Standards of weight and measures were fixed and

¹⁶⁰ 13 Md. Arch. Ass., 481.

¹⁶² 13 Md. Arch. Ass., 537.

¹⁶⁴ 13 Md. Arch. Ass., 532.

¹⁶¹ 13 Md. Arch. Ass., 444.

¹⁶³ 13 Md. Arch. Ass., 462.

¹⁶⁵ 13 Md. Arch. Ass., 552.

a yearly inspection thereof was directed.¹⁶⁶ The "want of ready money" had been found a "very great hindrance" to the Province and much impeded its trade. Without ready money, no encouragement could be given "to handicrafts and tradesmen to come or continue"¹⁶⁷ in Maryland. To obviate this, the value of foreign coin was fixed at high rates and the exportation of such coins was forbidden. These coins were also made legal tender to some extent.¹⁶⁸

A usury law was passed, providing that six per cent. in money and eight per cent. in tobacco should be the legal rate. If more were asked, the contract was void and the offender might be punished by a fine of treble the amount loaned.¹⁶⁹

Not only was there a prohibition on the exportation of wines, but also of wool, old iron, leather, raw hides, deer and elk-skins.¹⁷⁰ The last named articles should be kept in the province for the encouragement of tanners and shoemakers.¹⁷¹

Roads are necessary for trade and the Assembly cared for them by passing an early good roads act,¹⁷² "for making highways and making the heads of rivers, creeks, branches, or swamps passable for horse and foot." To do this, the commissioners of each county were directed to meet yearly, in September or October, and "consult of what highways are most fit to be made." These should be "most convenient and nearest adjoining to such highways already begun or made" but are not to go through any one's yard, orchard or cornfield. "The Commissioners must appoint overseers of highways.

The great trade, however, was by water as yet and the act "for the preservation of harbors" was important.¹⁷³ The "great number of ships" which yearly "do reside" in our "chiefest and most eminent harbors" had greatly damaged

¹⁶⁶ 13 Md. Arch. Ass., 491.

¹⁶⁷ 13 Md. Arch. Ass., 493.

¹⁶⁸ 13 Md. Arch. Ass., 449.

¹⁶⁹ 13 Md. Arch. Ass., 540.

¹⁷⁰ 13 Md. Arch. Ass., 496.

¹⁷¹ 13 Md. Arch. Ass., 496.

¹⁷² 13 Md. Arch. Ass., 486, 286, 293, 294, 380.

¹⁷³ The Lower House wanted encouragement given by law to ships built in Maryland, but it was not done, 13 Md. Arch. Ass., 487, 308, 388.

them by unloading their ballast into them contrary to all previous law. They ought to carry the ballast to the shore and lay it above high water mark and should be punished, if they do not do so.

In order to provide properly for those who came to trade, inns were needed and, lest they should be ungoverned or too numerous, the Assembly passed an act for regulating ordinaries and limiting the number of them.¹⁷⁴ Licenses to keep ordinaries were to be granted by the commissioners of the county courts and the Mayor, Recorder, and Aldermen of St. Mary's City. The fee for an ordinary in the capital was larger than for one in the county.¹⁷⁵ Yearly, the authorities who grant licenses should summon before them the ordinary keepers of their jurisdiction, at which time the ordinary keepers must fix the prices of all liquors sold by them for the ensuing year, where the prices are not fixed by the law.¹⁷⁶ Within six months of the license, the ordinary keeper must provide 12 beds if his inn were at a court house, six if else where. Ordinary keepers must not be justices of the peace, nor commissioners of county courts, nor officers of the city of St. Mary's. Provision is made for a fine and loss of license, when an ordinary keeper keeps "evil rule" and order in his house or "suffers extraordinary drinking, fighting and quarreling in his house." Many tavern keepers had "grown more excessive and outrageous in their prices" of late and often refused itemized bills to debtors, lest their over charges be discovered.¹⁷⁷ To prevent this and like "cunning devices," a second act provided that no ordinary keeper should recover for a liquor debt, except according to the account charged in his book and, after making oath, that the account

¹⁷⁴ 13 Md. Arch. Ass., 488.

¹⁷⁵ 2000 or 1200 pounds tobacco yearly.

¹⁷⁶ The prices fixed by the act were: small beer, 10 pounds of tobacco a gallon; strong beer, 20 pounds a gallon; night's lodging in a bed, 4 pounds; peck of Indian shelled corn or oats for a horse, 12 pounds; pasturage for a horse a night, 6 pounds; hay or straw for a horse per night, 10 pounds.

¹⁷⁷ 13 Md. Arch. Ass., 545.

was correct and the item charged according to the fixed prices. Ordinary keepers were not forbidden from selling "for ready money, within doors or without, any liquor without any such account." It was further enacted that a fine shall be paid by any person selling by retail "any cyder, quince drink or other strong liquors" to be drunk in his house or plantation, without an ordinary's license.

An especial¹⁷⁸ branch of trade was that with the Indians, who killed "tame hogs and cattle" and sold the meat to the colonists as that of wild ones. To prevent this practice, it was forbidden to any one to buy from Indians "any flesh, dead or living, except venison, wild fowl, or other vermin."

It appears that some dastardly white men had kidnapped, carried off, and sold friendly Indians without license from the Governor.¹⁷⁹ This was forbidden, lest breach of peace happen between the settlers and the Indians and the Governor and Council are given discretion as to the punishment to be inflicted on such a criminal.

A third act was designed to prevent the "many inconveniences and mischiefs" arising from the large and unbounded latitude taken by several persons, "especially those disaffected to their Majesties interests" who trade with the Indians for deer, elk, and bear skins and other furs.¹⁸⁰ These traders had encouraged foreign Indians to come down, who entered upon hostilities against the settlers. For the future, all such traders must first procure a license from the Governor of the Province, under heavy penalty in case of disobedience.

Manufactures had not sprung up as yet and the only reference to them is an act "for the encouragement of such persons as will undertake to build water mills."¹⁸¹ It is recited, that most places fit for mills belong to persons under age, or those unable to be at the charge of building a mill, or those "wilfully obstinate in forbidding and hindering those who would purchase the land and put up mills. This prevents the increase of

¹⁷⁸ 13 Md. Arch. Ass., 479.

¹⁸⁰ 13 Md. Arch. Ass., 560.

¹⁷⁹ 13 Md. Arch. Ass., 525.

¹⁸¹ 13 Md. Arch. Ass., 534.

trade and is much to the public damage of the Province," since "the want of water mills is the true cause that husbandry . . . is but coldly prosecuted." To remedy this evil, it is provided that, whoever wishes to build a mill, may invoke the right of eminent domain and have 20 acres of the desired land condemned for him. To prevent failure of the plan, the person intending to build the mill must give bond to commence the erection of the mill within a year and to complete it within three years from the time when the land was taken. Unoccupied land might also be granted for mill sites.

The great interest of the Province was the landed interest. Especial trouble had been caused by the fact that many had not fully completed their titles before the recent Revolution and, since that time, the Proprietary had not reopened the Land Office. To remedy this, the Assembly enacted methods whereby such persons could be confirmed in their possession of their lands.¹⁸² The possession of others was "quieted" by providing that transfer of land by any writing made before March 27, 1671 should be good,¹⁸³ and that since "divers assignments of Patents, written on the backside of such Patents for land are now worn out and also many other sales in paper either worn out or quite lost, for which the purchase money hath been *bona fide* paid," transfers of land before the same date might be proved by testimony of witnesses.

For the future, the transfer of land was to be better regulated and the deed of conveyance must be acknowledged before a court of two justices of the peace for the county where the land lay,¹⁸⁴ and must be enrolled in the Provincial or County Court within a year of the time of transfer. The clerk of court was to endorse on the deed the date and folio of the record book in which it should be entered. Persons residing out of the Province might acknowledge their deeds before other officers and were given two years for enrollment. One of the purposes of

¹⁸² The applicants were to go before a sworn surveyor. There was some dispute over this act. 13 Md. Arch. Ass., 319, 442.

¹⁸³ 13 Md. Arch. Ass., 450.

¹⁸⁴ 13 Md. Arch. Ass., 286, 294, 379.

the act was to avoid "abuses and deceits in incumbering estates by mortgages," to the prejudice of purchasers and lenders. Deeds should take effect according "to the true intendment of the parties thereunto, albeit the same shall not happen to be drawn and penned in such strict formal manner, as is used in England and other countries, where the advice of counsel learned in the laws of the country may easily be had."

Married women must acknowledge their signatures apart from their husband, and must profess that they signed voluntarily.

Laws were passed against "the notorious evil practice of ill disposed and malicious persons" burning "cornfields, pasture ground, orchard or other fence."¹⁸⁵ Another evil was the making "insufficient fences" about cornfields so that animals may break in and destroy the grain. For the future, such fences must be five feet high and strongly made, "in the judgment of two indifferent men," or the owner of the land must bear his loss. If the fence be sufficient, the owner of the trespassing animal must pay damages.¹⁸⁶

In addition to building proper fences, each planter¹⁸⁷ raising tobacco must erect before the following October and "make ready a good tight house with a good door, lock and key . . . sufficient to contain the tobacco raised on the Plantation." In this house, he must keep for one year, as he would his own, any tobacco sold to "any merchant, master of a ship, sailor, or other person," but shall not be liable, if it be lost through any casualty. This was intended to prevent the sellers from disposing of tobacco twice. A second act was intended to protect creditors against a prevailing practice of the sheriffs. These had seized, upon pretence of public debts, tobacco sold by planters to traders and placed in hogsheads marked, nailed up and deposited in the planters' warehouses.¹⁸⁸ A second abuse on the part of the sheriffs was that they would come to a planters to

¹⁸⁵ Penalty that of laws of England or double or treble damages as Justices may decide. 13 Md. Arch. Ass., 487.

¹⁸⁶ 13 Md. Arch. Ass., 472.

¹⁸⁷ 13 Md. Arch. Ass., 469.

¹⁸⁸ 13 Md. Arch. Ass., 484.

collect the "public levy" and, finding no tobacco ready packed, would mark the tobacco houses, containing much more than would satisfy the tax, and forbid the planters from disposing of any of the tobacco, till the levy be paid. The first evil was corrected, not by limiting the power of the sheriff over the tobacco marked for the creditor, but by providing that the creditor might recover the amount of his debt in a speedy manner, from the planter. The second evil was to be remedied, by forbidding a sheriff from seizing tobacco houses or "tobacco hanging or unstript." He must take only for the levy's tobacco packed in cask.

On the other hand, "great grievances have happened ¹⁸⁹ . . . through the many cheats and deceits that have been used, in disposing and altering the marks and qualities of tobacco, after the said tobacco has been seized and received by the sheriff, either for fines or hath been paid away to merchants or others." If this abuse is discovered within three years, it is to be punished by four fold damages and by the culprit standing "in the pillory two full hours during the court time, with his offence fairly written in a piece of paper and placed upon the back."

Slaves were next to the land in importance as property. We have already seen that the conduct of masters toward slaves was regulated by the Legislature, but there was no desire to restrict the importation and increase of slaves.¹⁹⁰ The old idea had been that, when slaves became Christians, they also became free. This had discouraged several from purchasing or importing negroes and had hindered others, "to the great displeasure of Almighty God and the prejudice of the souls of these poor people," from instructing them in the Christian faith. The Legislature declares this shall not be a difficulty for the future, but Christian negroes shall continue slaves, as well as the others. Another important act concerning negroes¹⁹¹ provided that they and any other slaves imported into the Province, should be in perpetual servitude. Intermarriage between

¹⁸⁹ 13 Md. Arch. Ass., 518.

¹⁹⁰ 13 Md. Arch. Ass., 505.

¹⁹¹ 13 Md. Arch. Ass., 546.

the white and black races was visited with severe penalties. A white woman marrying a negro should become a servant for seven years, "to the use and benefit of the ministry or the poor" of her parish, and a free negro marrying a white woman should become a slave.¹⁹² The legitimate children of such unions should serve as slaves until 21 years of age, illegitimate children until they were 31. In case the white woman is an indentured servant, and married a negro without knowledge of her master, she must serve out her term with him, before she begins her seven years. If the master knew and consented to the marriage, he lost at once the remainder of the service due him from the servant and must pay a fine of 10,000 pounds of tobacco. The same fine was imposed on clergymen celebrating such marriages. White men should suffer the same penalties as white women, if they intermarry with negroes. The Lower House at first wished white women marrying negroes to become slaves for life, but the Upper House thought the sterner penalty contrary to English Law. The Lower House then suggested that the servitude should continue during the life of the negro husband, but the Upper House insisted on the reduction to seven years and won the day.¹⁹³ Trouble had been experienced already from runaway servants and slaves and to prevent a continuance of this the legislature ¹⁹⁴ provided that no servant should travel more than 10 miles from home without a letter from his master or overseer, under penalty of being considered a runaway. Slaves must serve ten days, for every day so absent and those,

¹⁹² Free negro father of a bastard whose mother is a white woman is to be slave for seven years. This discrimination in favor of immorality I regret to say continues until this day. Act about servants who had bastards of 1674 was not to be repealed hereby.

¹⁹³ 13 Md. Arch. Ass., 304, 306, 308, 323, 380, 394.

¹⁹⁴ 13 Md. Arch. Ass., 457. Inhabitants of Virginia, Delaware and other Northern colonies were encouraged to detain runaways by promise of 400 pounds of tobacco if they brought them back to a Maryland magistrate. If the runaway were a servant or slave, the master paid the penalty, if a freeman he must pay, give good security or work out the debt. Fugitives from Somerset County to the Eastern Shore of Virginia only brought a reward of 200 pounds of tobacco to their captors for the task was comparatively easy.

who "wittingly and willingly" detained the fugitives, were to be fined 500 pounds of tobacco for each day.

Any person travelling out of his country without a pass might be apprehended and if he could not give good account of himself or was not "sufficiently known" to the magistrate, he should be deemed a runaway. Rewards are provided for those who seize such runaways and even the Indians were encouraged to act as agents in their capture.

Persons were in the habit of transporting from the Province both fleeing debtors who were freemen and "runagate" slaves. For the future, anyone, carrying from the Province a freeman without a pass, must pay his debts for him, if he will not pay them himself, or return the fugitive. If the escaping person be a slave or indented servant, the person aiding him must pay treble damages and costs.

Another misdemeanor had been that through "the wickedness and infidelity of their servants purloining their master's, . . . mistresses', or dames' goods, then bartering, selling, and conveying away the same unto seamen and others . . . Masters and Mistresses of families are and have been very much damned and abused." Henceforth, trading with any servant or slave, without first obtaining license from the master, was to be punished with a fine of 2000 pounds of tobacco. If the goods stolen were worth more than 1000 pounds of tobacco, the owner might sue the trader for damages. If the trader would not pay, he should receive thirty stripes on the bare back.

We have already seen how the mutilation of a mulatto girl brought her freedom from her cruel master. Other masters¹⁹⁵ "void of human pity and Christian compassion" had barbarously dismembered and cauterized their slaves, not only to the scandal of Christianity, but, by such cruelties, keep them from embracing the same." These burning words were followed by a provision that, in such cases, the justices of the County Court should set the captive free. If the owner deny any English servants or slaves "sufficient meat, drink, lodging, and

¹⁹⁵ 13 Md. Arch. Ass., 457.

clothing, or shall unreasonably burthen them with labor beyond their strength, or deny them necessary rest and sleep, the County Court shall fine him for the first and second offence and manumit the servant for the third."

Servants imported without indenture shall serve for five years if above 18 years of age; 7 years, if above 15; and until 22, if under 15 years of age. Within six months of the importation of servants the owner must have them registered before the County Court. At the expiration of their terms of servitude the servants shall receive from their masters the following outfit: "a good cloth suit either of kersey or broadcloth, a new shift of white linen, a new pair of shoes and stockings, two hoes, one ax, and three barrels of Indian corn."

SOME EARLY COLONIAL MARYLANDERS

McHENRY HOWARD

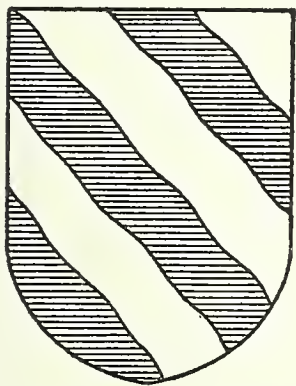
(Continued from Vol. XV, p. 71.)

4. THREE GEORGE PLATERS.

In Suckling's *History and Antiquities of the County of Suffolk, England*, volume 1, page 86, there is a partial pedigree, with arms, of the ancient family of Playters, long prominent in Sotterley Parish, in which occurs the name of George Playters, about 1500 and again about 1550, younger sons whose descendants are not traced. In the English Magazine *The Genealogist*, New Series, Vol. 1, page 243, is an account of the same family, the name being spelled Playters or Playter. See also the Harleian Soc. Publications *Visitations of Suffolk*. From this family the tradition is that the Maryland Platers are descended. In Gwillim's *Display of Heraldry* the arms of the English family are given as "Bendy wavy of six, argent and azure, as appeareth by divers Seals of old Deeds and many

ancient Monuments yet to be seen in the Parish Church of Sotterley." And the same arms have been used by the Maryland Platers. How long "Sotterley" has been the name of their home in Calvert County I do not know, but in the Washington correspondence there is a letter from Col. Fitzhugh to Col. George Washington written from "Sotterley" before the Revolutionary War, and, no doubt, the name is much older.

In Liber L. O. R. No. 1, page 18 of the Records in the Land Office at Annapolis, Maryland, there is an entry of Bartholomew Plater's having been brought into the Province in 1637



by John Lewger, Secretary, and the same claim on 25 August, 1641, is in Liber A, B & H, page 100; and in Liber No. 9, page 448, Richard Bayley of Patuxent, claims, in June, 1666, to have brought in Richard Plater and others, "all his own servants." But there appears no evidence in the Records connecting either of these with the first George Plater and it is probable that he himself was an

immigrant to Maryland from England before 1689. In a deposition made by him on 15 November, 1694, he says that he was then "aged upwards of 30 years." Archives of Maryland (printed under direction of The Maryland Historical Society), Proceedings of the Council, 1693-1696/7, Vol. 20, page 179.

The first mention that I have found of George Plater is in the Archives, Proceedings of the Council, 1687/8-1693, pages 90, 91, where on 28 March, 1689, he, with others, signs two declarations, laid before the Council, discrediting a wild rumor of a plot by the Catholics and Indians to exterminate the Protestant inhabitants. And on page 146 of the same Volume he signs on 28 November 1689 the congratulatory Address of the loyal Protestant subjects of St. Mary's County to William and Mary on their accession to the throne.

I have not found at what date he was appointed Attorney

General of Maryland. After the death in March, 1686/7, of Attorney General Thomas Burford I do not find an acting successor until George Plater appears holding the office in 1691. It is true that on 18 July, 1688, Charles 3rd Lord Baltimore wrote to the President and Council appointing Charles Carroll ("of the Inner Temple, London"), his Attorney General (Archives, Proceedings of the Council, 1687/8-1693, page 48), but I have found no mention of him as filling the office, and it is probable that in the Protestant supremacy which immediately succeeded, the appointment of such a prominent Catholic was not recognized. And in the same volume of the Archives, page 247, George Plater is mentioned as being Attorney General on 23 April, 1691. The references in the Assembly and Council Proceedings to his continuing to hold the office until his resignation of it in 1698 are much too numerous to be here cited. While Attorney General he was present at a number of meetings of the Council,¹ and at least once makes a motion in the course of the business (Vol. 23, page 511), but he was probably specially requested to attend to give legal advice and is not to be regarded as having been a "Member of the Council." On 21 October, 1698, Governor Nicholson announces to the Council the resignation of Attorney General George Plater and the appointment of Major William Dent as his successor.² But after his resignation the Archives show that his advice as a lawyer was often asked by the Colonial government. And he evidently had a large private practice. He had probably had his legal training in England.

In the Land Office at Annapolis, in Deed Book W. R. C. No. 1, page 587, is recorded a Commission to George Plater from the Commissioners for managing and causing to be levied and collected their Majesties' Customs, Subsidies and other duties, dated London, 17 May, 1690, appointing him Collector of all the Rates, Duties and Impositions growing due to their Majesties at Patuxent River. And on 8 January, 1691/2 he

¹ *Archives*, v. 23, p. 4, 435, 507, 511, 513, 519, and v. 25, p. 3, 4.

² *Archives*, v. 25, p. 13.

was appointed Receiver of the royal Revenues within the precincts of the River of Patuxent. His commission of that date, with instructions as to his duties, is from the Sovereigns William and Mary, through the Commissioners of the Treasury, Whitehall, London, and excepts from his duties the collection of such Duties and Revenues as belong to Lord Baltimore as Proprietor of the Province. This Commission, with the instructions, is given in full in the proceedings of the Council at a meeting in July, 1697.³

On 3 February, 1696/7 "for several matters of Complaint exhibited against him" in London, he was discharged as Collector by the Commissioners of his Majesty's Customs there and Peter Jennings was appointed Collector in his place.⁴ This discharge and new appointment were laid before the Council of Maryland and went into effect 2 July following⁵ and probably was the reason for Plater's then exhibiting his Commission of 17 May, 1690, as Receiver. And the Proceedings of the Assembly and of the Council repeatedly show that he continued to act as King's—or Queen's—Receiver of Revenues of Patuxent until his death in 1707. On page 343 of Archives, Vol. 23, and elsewhere George Plater is mentioned as Receiver and Peter Jennings as Collector, and on page 314 of Vol. 27, George Plater, after his death, is mentioned as late her Majesty's Receiver of the District of the Patuxent.⁶

³ *Archives*, v. 23, p. 192 *et seq.*

⁴ *Archives*, v. 23, p. 47.

⁵ *Archives*, v. 23, p. 149.

⁶ In George Plater's time, and before and after, there were three places in Maryland for the entry and clearance of vessels, called Potomac, Patuxent and Pocomoke Districts, and of these Patuxent was, perhaps, the most important, its jurisdiction extending up Chesapeake Bay until Annapolis and Williamstadt (Oxford) were made Ports of Entry. For each of these Districts—certainly for Patuxent—there were three officers for the collection of customs and revenues. The first was for the collection of the duties on exports (particularly of tobacco) and imports exacted by Lord Baltimore as Proprietor and was appointed by or for him and styled "Naval Officer." The second was for the collection of customs accruing to the Sovereign under the British Navigation laws and was called the King's Collector of Customs; and the third was for the receipt of other royal revenues—it would seem from sales of prizes, forfeitures and other sources—

He appears to have been also in 1693 and 1694 and later King's Collector for Potomac District;⁷ and at some time of Pocomoke.⁸ And he is sometimes called in the Archives Naval Officer of the Patuxent and Potomac,⁹ about 1694, but perhaps this was an erroneous titling of his office of King's Collector or Receiver.

He is also frequently referred to as the King's Receiver General for the Province, from 1694.¹⁰

On 21 October, 1698, immediately following his resignation as Attorney General, he was appointed by Governor Nicholson and the Council Naval Officer of Patuxent¹¹ in the place of Samuel Watkins, dismissed. His bond is given in full in the Archives, Vol. 23, pages 526, 527. He held this office until his death in 1707.

It is somewhat surprising that he never was a member of the Lower House of Assembly. Nor does he seem to have held minor positions—except that on 10 November, 1694, he was made a "Deputy Notary," and on 24 January, 1694/5, he, as Attorney General, was appointed, with others, to examine the Provincial Records at St. Mary's and remove them to Annapolis, the new Capital.¹²

He was living on 10 April, 1707, on which day he makes oath to "his publick account" before the Assembly,¹³ and on 17 July, 1707, when he is present before the Council as an Attorney.¹⁴ But on 22 December, 1707, Governor Seymour announces to the Council that upon the death of Mr. George Plater, Naval Officer of Patuxent, he has appointed John

and he was called the King's Receiver. These last two were appointed in London by or for the Crown. Sometimes two or all three of these offices were held by the same person. In the *Archives*, Proceedings of the Council, 1667-1687/8, p. 274, is a letter from Lord Baltimore urging that his Collector be also appointed the King's Collector and Receiver for Patuxent and so avoiding friction.

⁷ *Archives*, v. 20, p. 40.

⁹ *Archives*, v. 20, p. 247.

¹¹ *Archives*, v. 25, pp. 14, 16.

¹³ *Archives*, v. 27, p. 106.

⁸ *Archives*, v. 22, pp. 69, 146.

¹⁰ *Archives*, v. 20, p. 247.

¹² *Archives*, v. 20, pp. 171, 192.

¹⁴ *Archives*, v. 25, p. 216.

Rousby as his successor in that office,¹⁵ who was also on 18 February, 1707/8, appointed to succeed him in his other office of Queen's Receiver of Revenues for Patuxent District.¹⁶ Dr. Christopher Johnston, well known Maryland genealogist, says in his account of the Plater Family in the *Maryland Historical Magazine*, Vol. 2, page 370, that he died intestate and that Letters of Administration on his estate were granted on 22 October, 1707, and he refers to the records of the old Prerogative Court,¹⁷ now lodged in the Land Office, Annapolis, Testamentary Proceedings Liber 19, p. 257.

He married, about 1694, Anne, daughter of Attorney General Thomas Burford and widow of Robert Doyne, Sheriff of Charles County (see preceding article in this series, "Attorney General Thomas Burford"). On 13 October, 1696, George Plater" who married Ann the relict and Administratrix of Robert Doyne, late of Charles County, deceased," exhibits his Account of the Administration of said deceased's estate.¹⁸ And he, or he and his wife, stated Additional Accounts on the same estate which will be found noted in the referred to Burford article.

On 1 July, 1698, Governor Francis Nicholson laid before the Council a letter to him from a Captain William Phippard begging his favor in some concerns he had in this Province with George Plater and Ann his Wife, Executors of Mr. Robert

¹⁵ *Archives*, v. 25, p. 227.

¹⁶ *Archives*, v. 25, p. 235.

¹⁷ The old Prerogative Court, at the head of which was the Commissary General, had jurisdiction over the probate of wills and administrative proceedings for the whole Province and was located at Annapolis. After it was abolished by the adoption of the State Constitution of 1776 many of its original Wills, Inventories and Accounts were distributed to the new Orphans Courts of the Counties and so are doubly recorded; but all were not so sent. The Record volumes, and papers, were in the Office of the Register of Wills of Anne Arundel County at Annapolis until 190—, when, under an Act of the Legislature they were removed to the custody of the Land Office.

¹⁸ When a man married an Administratrix or Executrix, Administration Accounts were thereafter stated sometimes by him alone, sometimes by them jointly.

Doyne, deceased, for that Mr. Gilbert Clark, his Attorney, had wrote to him that the said Plater was so "Boy'd up with Favour & so Great in this Government that altho he had Obtain'd a Judgement, he could have no benefit thereof." On investigation it was determined that the estate had been properly administered and that such reflections were of great scandal to the government and his Majesty's lawyers were ordered to prosecute the said Clark for slandering the government.¹⁹

Mrs. Anne (Burford-Doyne) Plater married as her third husband²⁰ John Rousby—Dr. Christopher Johnston says in October, 1708 (*Md. Hist. Magazine*, Vol. 2, p. 370)—and John Rousby as husband of Anne, widow and Administratrix of George Plater, stated Administration Accounts of his estate in 1709 and 1711. (Testamentary Records of the Prerogative Court, Liber J G 5, 1708-11, No. 21, pages 99, 158, and Liber W B 8, 1711-15, No. 22, page 8; see preceding Burford article in this series.)

(Attorney General) George and Anne Plater had 2 children, "George Plater, born 1695, died 17 May, 1755, Anne Plater, living at Annapolis in 1738 (Chancery, Liber I R No. 3, folio 33 ff.)"—says Dr. Christopher Johnston in *Md. Hist. Magazine*, Vol. 2, p. 370.

(Colonel) GEORGE PLATER, son of Attorney General George and Anne (Burford-Doyne) Plater, is first mentioned in the Maryland Archives as Clerk to a joint Committee of the House of the Assembly on 12 October, 1723.²¹

On 12 December, 1724, he was appointed Clerk of the Council in the place of the Reverend Samuel Skippon, deceased,²² and so appears in the Archives until 1728, John Ross being commissioned Clerk on 11 February 1728/9.²³

¹⁹ *Archives*, v. 23, p. 443.

²⁰ Second and third, and more frequent, marriages were not uncommon in Colonial times, partly because of a woman being more helpless in her widowhood than now and a man more comfortless in his home.

²¹ *Archives*, v. 34, p. 542.

²² *Archives*, v. 25, p. 424.

²³ *Archives*, v. 25, p. 506.

In October, 1725, he was Registrar of the Commissary's Office ²⁴ (who presided over the Prerogative Court), an office which he resigned in 1729 and John Gibson was appointed by the Commissary General in his place. (*Maryland Gazette*, 8 July, 1729.)

On 20 October, 1729, he was commissioned by the Governor one of the Judges of the Provincial Court, and the commission was renewed 19 October, 1730, and 17 May, 1731. (Commission Record 1726 to 1786—original—pages 10, 11.)

The *Maryland Gazette* of 4 March, 1728/9, says that George Plater, Esq., lately nominated by the Governor to be Collector of his Majesty's Customs for Pocomoke District, is confirmed in that office by the Hon. Richard Fitzwilliams, Surveyor General. I have not seen any further mention of his holding that office.

Exactly when he was appointed Lord Baltimore's Naval Agent for Patuxent District I have not found, but the Archives show that he was Naval Officer in 1729 and in many of the years afterwards. (See particularly the Lower House Journal, 1740-1749 (original) in session 29 July, 1740, and other Archives.) And there is no doubt he was holding the office continuously from 1729 to his death.²⁵

On 18 April, 1732, he was nominated by Governor Samuel Ogle a Member of the Council and on the same day he qualified by taking the usual oaths and subscribing to the "Oath of Abjuration and Test" and took his seat at the Board.²⁶ And the Archives show that he was a diligent attendant at meetings until his death. At the meeting on 28 August, 1745, and

²⁴ *Archives*, v. 35, pp. 314, 322, 326.

²⁵ In the volume of *Maryland Archives* (originals) now in the custody of The Maryland Historical Society, "Commission Book, Liber J R 1733-1750, 1761-1773," pages 1, 203 and 226, are Commissions in 1733, 1767 and 1769 to George Plater as Naval Officer of Patuxent. But these are in effect merely continuations in office and probably because of the succession of new Governors. And on page 96 is a Commission to him, dated 29 September, 1742, to be Naval Officer of the Port of Annapolis, which had been formerly a part of Patuxent District.

²⁶ *Archives*, v. 28, p. 6.

always thereafter he is styled Colonel Plater. On 17 March, 1753, Frederick, 6th and last Lord Baltimore, who had lately succeeded to the title, issued a new commission to the Members of the Council, Col. Plater being one, probably because of the coming of a new Governor—Horatio Sharpe.²⁷

In 1741 he was Agent for St. Mary's County for paying bounties to persons enlisting under Act of 14 June — in the war with Spain and expedition to Carthagen. (Lower House Journal, 1740-1749—original—Session of 18 June, 1741.)

The "Calvert Papers," No. 153, now owned by The Maryland Historical Society, show that on 28 June, 1750, he was appointed one of 5 Commissioners to run, with Commissioners on the part of Pennsylvania, an East and West line across the peninsula from Delaware Bay to the Chesapeake for the purpose of establishing the boundary between Maryland and the Three Lower Counties of Pennsylvania—afterwards Delaware; and package No. 468 contains the proceedings of the Commissioners from their first meeting on 24 November, 1750.

On 14 March, 1755, he was commissioned Deputy Secretary of Maryland, succeeding Edmund Jennings, who had resigned. (Archives, Correspondence of Governor Sharpe, Vol. 1, 1753 to 1757, page 296.) The principal Secretary at that time, and long before, was Cecilius Calvert, great uncle of Frederick, Lord Baltimore, who lived in England and never was in the Province. The practice was that many office holders divided the fees with "some one higher up," or paid an amount, for the appointment, and in Sharpe's correspondence (same Vol., page 182 and further) there is an account of the bargaining with Plater as to how much he would agree to pay Calvert before being appointed.

He lived to enjoy the dignity of the office a little over two months. The *Maryland Gazette* of Thursday, 22 May, 1755, has the following obituary notice: "Saturday last died at his Seat in St. Mary's County, aged upwards of Sixty, the Honourable George Plater, Esq., who was for many years one of his

²⁷ *Archives*, v. 31, p. 8.

Lordship's Council of State, Naval Officer of Patuxent and lately appointed Secretary²⁸ of this Province; a Gentleman eminent for every social virtue which cou'd render him truly valuable; He was, as Horace says, *ad unguem factus Homo*. As his Life was a Pleasure, so was his Death a Grief to every one that knew him."

To his Will, dated 9 August, 1751, proved 6 June, 1755, and recorded in Liber B T No. 1, page 466, there is affixed a Schedule of his lands showing that he owned 7419 acres in St. Mary's County, 600 acres in Prince George's, 250 acres in Baltimore County, 500 acres in Dorchester, being a "Tract of land of my Grandfather's [Atty. Gen. Thomas Burford] called Burford's Choice," 1086 acres in Frederick County and 4295 acres ("Bradford's Rest"), which appear to have been in the same County—a total of 14,150 acres.

Col. George Plater was twice married. The *Maryland Gazette* says: "Annapolis, June 16th, 1729. On Tuesday last [10 June] George Plater, Esq., was married to Mrs. Rebecca Bowles, the Relict of James Bowles, Esq., a Gentlewoman of considerable fortune." She was a daughter of Col. Thomas Addison and Elizabeth (Tasker) Addison, his first wife (see the Addison article in this magazine, Vol. 14, page 388 *et seq.*) and her first husband had been a Member of the Council. At what time between 1742 (birth of her youngest child) and 1749 she died does not appear, but the same newspaper in its issue of Wednesday, 28 June, 1749, says: "Last Monday the Honorable George Plater, Esq., of St. Mary's County was married to Mrs. Elizabeth Carpenter, Widow of Capt. John Carpenter, late of this place, deceased." And in the issue of Wednesday, 14 November, 1750, it chronicles her early death: "We hear from St. Mary's County of the death of Madam Plater, the virtuous consort of the Hon. Col. George Plater, on the 30th of October past, a Gentlewoman much esteemed when living and whose death is greatly lamented." Of this brief second marriage there was no issue.

²⁸ The Deputy Secretary was known in Maryland simply as "Secretary."

By his first marriage Col. George Plater had 5 children, Rebecca, born 8 August, 1731; Anne, born 31 October, 1732; George, born 8 November, 1735; Thomas Addison, born 27 October, 173—, and Elizabeth, born 7 August, 1742. (Entries in Col. Plater's Prayer Book in his handwriting, says Dr. Christopher Johnston (*Md. Hist. Magazine*, Vol. 2, page 371.) Rebecca married, 11 July, 1747, at the home ("Rosegill") of Ralph Wormley, in Middlesex Co., Va. (*Maryland Gazette*, 11 August, 1747, and *William and Mary College Quarterly Magazine*, Vol. 6, page 154) John Tayloe of "Mt. Airy," Richmond Co., Va., and from her were descended many families in Virginia—Tayloe, Wormeley, Lomax, Carter, Page, Beverly, &c., and Lloyd of Wye House, &c., in Maryland.

(Governor) GEORGE PLATER, eldest son of Col. George and Rebecca (Addison-Bowles) Plater, was the last of three lineally successive George Platers prominent in Maryland. He was educated at William and Mary College, Williamsburg, Va. (Archives, Correspondence of Governor Sharpe, Vol. 3, p. 216)—probably because of his sister's having married into a Virginia family. The following may not be a full record of his political life:

He was a Delegate for St. Mary's Co. in the Lower House of Assembly 1757-8-9, and 1762-3-5 (Lower House Journals—originals; Dr. Johnston says, from a fuller examination of the Archives, "1757-1759 and 1762-1768"; and he also says that he was a Member of the Council 1771-1774; *Magazine*, Vol. 2, p. 371.)²⁹

On 1 August, 1767, he was commissioned Naval Officer of Patuxent, as his father and grandfather had been before him. (Commission Book, Liber I. R. 1733-1750, 1761-1773 (original), page 203; another commission on page 226, dated 29 August, 1769, is probably in effect a confirmation of office on the arrival of a new Governor—Robert Eden.)

In the Revolutionary period he took an active and prominent part. On 27 February, 1776, he was appointed by the Mary-

²⁹ In 1767 and afterwards he is styled Colonel.

land Council of Safety one of 3 persons to collect in St. Mary's Co. gold and silver coins for use in the military operations in Canada and on 5 March he reports collected by him £224 1s. 1d. (Archives, Journal and Correspondence of the Council of Safety, 29 Aug., 1775—6 July, 1776, pages 132, 202.)

On 19 March, 1776, he and another were appointed by the Council of Safety Commissioners to act with Virginia Commissioners in constructing beacons on the shores of Potomac River (page 264) and their proceedings in constructing 20 stations appear on subsequent pages.

The following tenures of office by Col. George Plater in the Revolutionary period are taken from the *Year Book of the Society of Sons of the Revolution in the State of Maryland*, 1896, pages 64 *et seq.*, carefully compiled by Mr. H. Oliver Thompson, Registrar:

Member of the Council of Safety, elected by the convention of

		Maryland	25 May 1776
		attended and qualified	28 May "
Do.	Do.	elected	5 July "
		attended and qualified	16 July "
Do.	Do.	elected	10 Nov. "
		present and qualified	12 Nov. "

Member of the Convention of Maryland to form a State Government

elected	1 Aug. 1776
appeared and took his seat	15 Aug. "

and was chosen one of a Committee of 9 to prepare a Declaration and Charter of Rights and form a Government for the State, and so acted. And on behalf of the Committee he reported the Declaration and Charter of Rights on 27 August and the Constitution and form of Government on 10 September, 1776.

Delegate to the Continental Congress, elected by the Legislature 5 Dec. 1777

Do.	Do.	Do.	13 Nov. 1778
Do.	Do.	Do.	22 Dec. 1779

And he served under each election.

And the following is taken from McSherry's *History of Maryland*:

President of the Convention which ratified the Constitution of the United States, 28 April, 1788.

Governor of the State of Maryland 1791

He died, while Governor, on 10 February, 1792.

Appendix J

" H

Governor George Plater was twice married, first to Hannah Lee, daughter of the Hon. Richard Lee, who died 20 September, 1763, leaving no issue. He married, second, 19 July, 1764, Elizabeth, only child of John Rousby, the last of the Rousbys of "Rousby Hall," Calvert County. For the children of this second marriage see Dr. Christopher Johnston's "Plater Family," on page 370, Vol. 2, of this magazine, with a correction as to the marriages of two of the daughters on page 188 of Vol. 3.

Griffith's Map of Maryland was made while Governor Plater was in office and on it his residence is noted, on the west side of Patuxent River, about 15 miles above its mouth.

After these three successive George Platers the family does not appear prominent in State affairs. "Sotterley" has passed from it, but the old Colonial house is still standing, one of the most interesting in Maryland.

THE LIFE OF THOMAS JOHNSON

EDWARD S. DELAPLAINE

PART FIFTH

CHAPTER VII

LOOMS AS DEFENDER OF THE PEOPLE AGAINST BRITISH
OPPRESSION

Everywhere in the American Colonies the news of the repeal of the Stamp Act was received with boundless joy. When the tidings reached Annapolis the members of the Provincial Assembly adjourned in boyish glee and repaired to the Council Chamber to drink patriotic toasts. The news spread like wild-fire through the Colony. The happy subjects reasserted their loyalty to the Crown and quaffed wine and punch in great quantities to the health of the British statesmen who had advo-

cated the American cause. It was the occasion for a jubilee such as had never before been known in the history of Maryland.

Portraits of Lord Camden, General Conway and Sir Isaac Barré were hung in Faneuil Hall. Statues to King George were authorized in New York and Virginia. Likewise in Maryland men of the Johnson type were anxious to honor the champions of American liberty. Reassembling toward the close of 1766, the House put forward the plan of adorning the walls of the Provincial Court with a portrait of Charles Pratt, Lord High Chancellor, and of memorializing William Pitt in marble. A resolution to this effect was carried with a unanimous vote. Assemblyman Johnson, of Anne Arundel, was one of the sponsors of an enabling act introduced to carry this resolution into effect. The bill, like the resolution, met with instant and hearty approval. But in His Lordship's Council the attitude toward the bill was somewhat different. On account of the failure of appropriation, Mr. Johnson and his associates never had the pleasure of hanging in the Court chamber the portrait of Lord Camden or of erecting in Annapolis the statue of Pitt. The Assembly could not be prevented, however, from sending through Charles Garth, the London Agent of the Province of Maryland, a note of thanks to King George, as evidence of the appreciation of the people in Maryland for His Majesty's assent to the repeal of the Stamp Act, and to the Earl of Chesterfield, Lord Shelburne, Colonel Barré, Secretary Conway, Sir George Saville, General Howard and any others who "acted the like glorious part" in defending the liberties of the American people.

A sort of Ambassador or Consul, Mr. Garth had been transacting for Maryland her provincial affairs faithfully and with great satisfaction to the people of the Colony. There now appeared at Annapolis a remarkable evidence of spite in the Upper House, intended to drive Garth from his office. Unless the Assembly would consent to impose a tax upon the people to provide a salary for the Clerk of the Council, *in addition to the fees of that office*, the Upper House refused to provide for

the salary of the London Agent. Prorogation was imminent and there was little time to be lost. How could they secure £1,000 for Mr. Garth's salary and expenses? As an appropriation without the sanction of the Upper House was an impossibility, it was decided to conduct a lottery in order to raise the funds. Prominent members of the House were selected as promoters. Thomas Johnson, Jr., was called upon to serve as one of them. Others who helped to manage *The Maryland Liberty Lottery*, as it was called, were two young men who a decade later had the high distinction of signing the American Declaration of Independence—William Paca and Samuel Chase. William Murdock and Thomas Ringgold, both of whom were eminent as Colonial statesmen, were among those who helped to supervise the lottery, as were also John Hall and Brice T. B. Worthington, who long were colleagues of Mr. Johnson in the Lower House from Anne Arundel County. Five other Assemblymen—John Hammond, Thomas Sprigg, Henry Hall, Thomas Gassaway and John Weems—were chosen, making a total board of twelve. The lottery tickets were offered in all the counties of Maryland, and all were sold except about five hundred which were purchased by the patriotic delegates themselves.

Then there was another recess committee on which Mr. Johnson was called upon to serve at this time. This committee was asked to investigate the whole question of the *modus operandi* of raising revenue for the support of the Proprietary Government, and consisted of Speaker Robert Lloyd, Thomas Johnson, Thomas Ringgold, William Murdock, Edward Tilghman and John Hall. They were also authorized to present to the King, through Agent Garth, a full account of the controversy with the Upper House concerning appropriations for their agent at the London Court. Accordingly, the Committee drafted a letter to His Excellency, the Governor, in which they explained the need for an agent in London. For example, they pointed out that the Province owned £30,000 of the capital stock of the Bank of England, but that many creditors were

being denied their just claims, and that it was important to have an agent in London to see that Bills of Credit were issued to pay such claims. The Committee requested access to the Journals and Acts of the Assembly in order to secure certain data for Mr. Garth. On the 19th of February, 1767, Governor Sharpe presented the letter to the Council for consideration. Daniel Dulany, at that time Secretary of the Province, and by virtue of his office the custodian of official documents, was delegated to draft a reply. The renowned lawyer answered the letter the same day. He replied that he would permit the delegates to examine the official books and papers in his possession, but he reminded them that this permission would be granted them as *private gentlemen* only, and not as *officials*.

Policies were now in the making in England which were to give Thomas Johnson, as many another young patriot in America, the opportunity to display his might. In the summer of 1766 the administration of the Marquis of Rockingham ended; and in the following year Charles Townshend, Chancellor of the Exchequer, submitted to Parliament a new scheme for raising revenue in America, which made a distinction between *direct taxes* and *imposts to regulate commerce*. William Pitt, now the Earl of Chatham, was prevented by ill health from taking an active part in the legislation, and the Acts passed with little opposition. They imposed new duties on tea, paper, glass and other articles imported into America and provided for a Board of Customs at Boston to collect the revenue throughout the Colonies. Receiving the royal assent in June, 1767, the measures were to take effect on the 20th of November.

Again the smouldering fires of discontent were rekindled in America. The Assembly of Massachusetts Bay called upon the other Colonies to unite in opposition to this most recent invasion of their Anglo-Saxon liberty. In Maryland the champions of the people's cause were eager openly and courageously to place themselves upon record in defiance of Crown, Ministry and Parliament; but the Provincial Assembly—the only official body representative of the people—was not in session. Further-

more, there was little likelihood of a session at an early date. Although he had been bitterly condemned by the Assembly in 1765 for proroguing the Assembly again and again while the Stamp Act was before Parliament, Governor Sharpe continued his old tactics by preventing the Assembly from convening at any time during the year 1767. The Assembly was held off until May 24, 1768—six months after the Acts of Parliament went into effect and a year after their passage. But when the House did finally reconvene the members met in a spirit little short of revolutionary. They resolved that the revenue measures infringed “the great and fundamental principles upon which the right of taxation is based.” And back to Massachusetts they sent a message of warm sympathy and complete concurrence.

It was further decided to state to the Crown in formal language the attitude of the freemen of Maryland toward the latest revenue Acts of Parliament. It was on the 8th day of June, 1768, that the Assembly selected a committee of seven of the most able delegates to draft this important Memorial to the King. The selection of Thomas Johnson on this committee presented to him an enviable opportunity to render conspicuous service. Associated with him on the committee were Matthew Tilghman, Thomas Jennings, James Hollyday, William Murdock, Thomas Ringgold and John Hall—six of the most distinguished statesmen of their day in Maryland.

About this time Governor Sharpe received an important circular letter from the Earl of Hillsborough, British Secretary of State, asking him to try to endeavor to forestall the “flagitious attempts (of Massachusetts) to disturb the public peace.” Pursuant to Lord Hillsborough’s request, Governor Sharpe asked the Assembly on the 20th of June to “confirm the favorable opinion His Majesty entertains of his Maryland subjects by taking no notice of such letter (from the Massachusetts Assembly), which will be treating it with the contempt it deserves.” In reply to the Governor the delegates declared that they were surprised that memorials respectfully presented to the Crown could be

regarded as seditious. "We cannot," they said, "but view this as an attempt, in some of his Majesty's Ministers, to suppress all communication of sentiments between the Colonies and to prevent the united supplications of America from reaching the royal ear. We have the warmest and most affectionate attachment to our most gracious sovereign, and shall ever pay the readiest and most respectful regard to the just and constitutional power of the British Parliament; but we shall not be intimidated by a few high-sounding expressions from doing what we think is right." It was, indeed, a bold and uncompromising reply. Other colonies expressed similar sentiments, but surely in language no more defiant.

The celebrated Memorial to George III, as prepared by Thomas Johnson and his associates, was adopted by the Assembly with enthusiastic approval. Couched in language both fearless and respectful, and basing their rights both upon their inalienable rights as British freemen and upon the Charter of Maryland, Maryland's remonstrance to the Crown against the revenue Acts of '67 is a valuable commentary on the eventful years just before the dawn of the American Revolution. It has been described as a "lucid expression of Colonial rights and a convincing evidence of the firm principles and commanding abilities of the men to whom was then committed the peculiar care of the Province," which "may safely challenge a comparison with any similar paper of that period, as an eloquent and affecting appeal to the justice of the Crown."

CHAPTER VIII

ADVOCATE OF AMERICAN ASSOCIATION

Thomas Johnson was only 33 years old at the time of the protest against the Stamp Act and 35 when the duties on tea and other articles went into effect: when the storm broke out again in America, he was approaching the age of 42, in the very vigor of his prime. The day of the Colonial Assembly was now past. No one realized that it was past. Indeed, as if

by the irony of fate, on the very eve of final adjournment the Delegates were considering a bill to "preserve the independence of members of the House." For some reason a number of the representatives—including that brilliant trio, Thomas Johnson, Samuel Chase and William Paca—voted against the measure; but the majority of the members seemed to be in favor of it, and on the 16th of April, 1774, it passed the House. The next day, when it appeared in the Upper House, it was amended to provide (1) that no person should be eligible for the Assembly who ever held, or even sought to hold, any public office; (2) that every delegate must swear that he has not deceived any elector in order to get his vote; and (3) that Delegates should not receive any salary. Manifestly, the amendments were aimed to kill the bill and it was promptly rejected *in toto* by the Lower House. Thomas Johnson's career in the Assembly came to a close on April 19, 1774, coincident with the adjournment *sine die* of the last session of Assembly under the Proprietary.

The opportunity which now came to Thomas Johnson was to arouse the freemen to resist the latest form of oppression from beyond the seas. The Annapolis lawyer had been well schooled to assume this rôle. Serving continuously during a period of twelve years in the only official representative body, he never held, and probably never sought, any one of the lucrative positions appointed by the Lord Proprietary or the Governor. It was natural, therefore, that he should be a stanch champion of the people's cause. The tinder which had caused the flames of hatred to break out again was the "Boston Tea Party." The duties on glass and a number of other articles had been withdrawn and the British Ministry notified the Colonists that the Empire would impose no additional taxes upon America; but a duty on tea still remained and the preamble of the Act of Parliament reaffirmed the necessity for raising revenue in the American Colonies. Three vessel loads of tea were cast into Boston harbor because it had to pay duty—an act which brought down upon the Pilgrims the wrath of the King, Ministry and Parliament. As a means of revenge, a

punitive measure was speedily passed to blockade the Boston port. The people of Boston were prepared for the worst. As soon as they heard the news they assembled in Faneuil Hall and resolved to resist the latest act of British tyranny. "If the other Colonies," they stated, "would come into a joint resolution to stop all importations from Great Britain and every part of the West Indies till the Act blockading up the harbor be repealed, the same will prove the salvation of North America and her liberties."

Copies of the Boston Port Bill and the Faneuil Hall resolutions were received in Maryland about two months after the punitive measure was passed by Parliament. When the message reached Baltimore Town, a meeting was held in the Court House when a committee was appointed to communicate with the leaders at the Colonial Capital and in other towns of Maryland. Two days later the patriots assembled in Town Meeting at Annapolis. The result of this meeting was the adoption of the following set of resolutions:

"At a meeting of the inhabitants of the city of Annapolis, on Wednesday, the twenty-fifth day of May, 1774, after notice given of the time, place, and occasion of this meeting,—

"Resolved, That it is the unanimous opinion of this meeting, that the town of Boston is now suffering in the common cause of America, and that it is incumbent on every colony in America, to unite in effectual measures to obtain a repeal of the late act of Parliament, for blocking up the harbour of Boston.

"That it is the opinion of this meeting, that if the colonies come into a joint resolution to stop all importation from, and exportation to Great Britain, till the said act be repealed, the same will preserve North America, and her liberties.

"Resolved, Therefore, That the inhabitants of this city will join in an association with the several counties of this province, and the principal provinces of America, to put an immediate stop to all exports to Great Britain, and that after a short day, hereafter to be agreed on, that there shall be no imports from

Great Britain, till the said act be repealed, and that such association be on oath.

"That it is the opinion of this meeting, that the gentlemen of the law of this province bring no suit for the recovery of any debt due from any inhabitant of this province, to any inhabitant of Great Britain, until the said act be repealed.

"That the inhabitants of this city will, and it is the opinion of this meeting, that this province ought immediately to break off all trade and dealings with that colony or province, which shall refuse or decline to come into similar resolutions with a majority of the colonies.

"That Messieurs John Hall, Charles Carroll, Thomas Johnson, jun., William Paca, Matthias Hammond, and Samuel Chase, be a committee for this city to join with those who shall be appointed for Baltimore Town, and other parts of this province, to constitute one general committee; and that the gentlemen appointed for this city immediately correspond with Baltimore Town, and other parts of this province, to effect such association as will secure American liberty."

Mr. Johnson had had some slight experience in communicating with the sister Colonies. During the days of the Provincial Assembly he had been chosen (along with Matthew Tilghman, Edward Lloyd, Brice T. B. Worthington, John Hall, James Lloyd Chamberlaine, Joseph Sim, Matthias Hammond, Josiah Beale, William Paca and Samuel Chase) to represent the Assembly on a standing Committee of Correspondence and Enquiry. But a new day had arrived. The Committee of Correspondence chosen at the Annapolis Meeting was delegated not only to CORRESPOND AND ENQUIRE, but also to EFFECT SUCH ASSOCIATION as would be necessary to secure their rights as British freemen.

The path of the patriot leaders was not a bed of roses. There were many doubting Thomases, many Judas Iscariots. Hardly had the Town Meeting adjourned before several "gentlemen of influence" commenced to ridicule the Resolutions. Furthermore, the cynics declared, had the sentiment of the people been

properly secured, the Resolutions would never have been adopted. In order to put an end to these unfriendly rumors it was decided to call another Town Meeting on the evening of May 27, to reconsider the entire subject. Here again the proceedings of the first meeting were fully sustained. But still there was criticism. This time the principal complaint was levelled against the clause resolving,

“That it is the opinion of this meeting, that the gentlemen of the law of this province bring no suit for the recovery of any debt due from any inhabitant of this province, to any inhabitant of Great Britain, until the said act (Boston Port Bill) be repealed.”

Fully 135 of the prominent subjects of Annapolis and vicinity signed a Protest against this Resolve. The Protest declared that the Resolve did pass by the narrow margin of 47 to 31, but that its passage was a grave mistake, being “big with bankruptcy and ruin.” The Resolve, it said, spelt disregard of just obligations and that it would jeopardize commercial credit because other countries would no longer place any confidence in the New World. One of the signers was the renowned Daniel Dulany. In the list of objectors appeared the names of members of the Hammond, Ross, Tilghman, Howard, Worthington and other prominent Colonial Maryland families. The name of Thomas Johnson, Jr., however, was conspicuous for its absence.

But the greatest obstacles came not from within their own ranks. The chief difficulty was the fact that standing over the people in open antagonism to the people's will was the Proprietary Government, including all of the high and mighty officials of the Colony. There was no public official to whom they could appeal for help and guidance. A call from the Governor for a session of the Provincial Assembly was out of the question. The solution of the problem came on the last day of May, 1774, when the suggestion was advanced at Baltimore Town that the people send *deputies* from all the counties of Maryland to a

General Convention in Annapolis in order to decide on concert of action. This plan was heralded with universal acclaim. The subjects residing in Anne Arundel County assembled in Annapolis on the 4th of June and selected 13 deputies. Thomas Johnson, Jr., was one of the number. His colleagues were Samuel Chase, William Paca, Charles Carroll barrister, Matthias Hammond, Brice T. B. Worthington, John Hall, Thomas Dorsey, John Hood, Jr., Samuel Chew, John Weems, Thomas Sprigg and Rezin Hammond.

There were very few British officials who looked upon the actions of the American Colonists with alarm. Sir Robert Eden had complacently left for a trip to England, unmindful of the bitter hostility of the subjects. Scarcely any member of the House of Commons, except Edmund Burke, saw the portentous results hidden in the Boston Port Bill. The Irish statesman declared the retaliatory measure gave him heartfelt sorrow not only because it was unjust and severe, but also because it was fraught with danger to British authority. This was a memorable instance of his clear political vision. It proved, as Mr. Burke expected it would, the great turning-point in American politics. The subjects in Maryland were as eager and determined as any in North America to defy the mighty menace of oppression from the throne. With faces set and fists clinched, 92 defiant deputies assembled in Annapolis to attend the first Provincial Convention.

The deputies organized on the 22nd of June, 1774, by calling Matthew Tilghman, of Talbot, to the Chair. The several counties were represented by their most influential citizens. The Anne Arundel County Delegation was second to none in ability. Thomas Johnson, while not loquacious as an orator, was able, fearless and splendidly equipped for leadership in the Convention. After deciding that each county should have but one vote and that each question should be decided by a majority of votes, the members proceeded to business by taking under consideration the messages from the sister Colonies.

The result of the Convention was far-reaching. The deputies

did not quibble. They did not waver for a moment on the course Maryland should pursue. They resolved that the recent Acts of the British Parliament were "cruel and oppressive invasions" of the natural and constitutional rights of English subjects and paved the way to the "utter destruction of British America." In the meantime the venerated Charter of Massachusetts was annulled by Act of Parliament, General Gage was appointed Governor of Massachusetts to see that the law was enforced, the people of the Colony were declared rebels and the Governor was ordered to transport to England for trial any person who offered the slightest resistance to the royal officers. The heart and hand of Maryland went out to their stricken brothers in the North. The Maryland Convention resolved to take subscriptions in every county for their relief. The deputies at Annapolis lost no time in considering the plan to sever all commercial relations with Great Britain. It met with instant approval. They resolved not only that all intercourse with the parent realm should be broken off, but that the people of Maryland would have no dealings with any Colony which refused to join in "the general plan." Thereupon the Convention went upon record in favor of a *General Congress of Deputies*, from all of the "Original Thirteen," for the purpose of giving ample relief to the people of Boston, of agreeing on one general plan of action with reference to the commercial relations between the Colonies and the Mother Country, and in other ways of preserving American liberty.

But no arrangements had yet been made by any of the Colonies for a Continental Congress. Therefore, the Maryland Convention selected five of its members to communicate with Pennsylvania and Virginia to secure their co-operation. Thomas Johnson, Jr., was one of the deputies charged with the duty of conducting this correspondence. The other four members selected were the venerable Matthew Tilghman, William Paca, Samuel Chase and Robert Goldsborough. The Convention authorized "any two or more of them" to attend the Congress, in case they were successful in making the

arrangements; and, upon their return, to give an account of their stewardship.

The Convention accomplished its work within four days. The recess committee also did its work expeditiously, for on June 26, 1774—the day following adjournment of the Convention—Mr. Johnson and his associates drafted and sent off their message to the adjacent Colonies. In their letter to the Virginia Committee of Correspondence, they said:

“To save America from destruction, it is our most fervent wish and sanguine hope, that your Colony has the same disposition and spirit, and that, by a General Congress, such a plan may be struck out as may effectually accomplish the grand object in view. We are also directed to propose that the General Congress be held at the City of Philadelphia, the twentieth of September next. The limits of our Province, and the number of its inhabitants, compared with yours, afforded an opportunity of collecting our general sense, before the sentiments of your Colony could be regularly ascertained, and, therefore, as this Province had the first opportunity, it has taken the liberty of making the first proposition.”

Being intimately acquainted with George Washington, one of the members of the Committee of Correspondence of the Old Dominion, and knowing that he wielded considerable influence south of the Potomac, Mr. Johnson also wrote him a personal note on the subject. Said he:¹⁸

Annapolis, 28 June 1774.

Sir—

I take the freedom to inclose you the Resolutions of our General Committee for the Province on the Bills respecting the Massachusetts Governm^t and the Act for blocking up the Harbour of Boston. If our general scheme of conduct should be adopted by the Congress I think even so strict an Associa-

¹⁸ *Washington*, Manuscript Division, Library of Congress, Vol. xv, 1867. Vide a portion of this letter near the end of Chapter V.

tion will be kept by the people of Maryland with good faith. I have sanguine hopes that your Colony will readily join in effectual measures . . . I have strong expectations from Pennsylvania but have heard nothing material from New York.

I am sir

Your most obed^t Servant

Th^s Johnson Jun^r

On the 5th of August, Colonel Washington sent to Thomas Johnson the views of Virginia concerning the General Congress. The letter from Washington to Johnson said:

“As the resolves of all the Colonies which had come to hand in this meeting, adopted your appointment of Philadelphia as the place to hold the Congress in; as the first of September or thereabouts hath been fixed upon by all of them (except your province) as a fit time; and as the time is now so near at hand as to render it difficult, if practicable, to change it, without putting too much to the hazard; it was resolved here to abide by the general choice of Philadelphia, though judged as an improper place, and to fix upon the 5th of September (as the South Carolinians have done) for the time.”

On receiving this message from Washington, Mr. Johnson conferred without delay with Chase, and they then advised the Committee of Correspondence at Baltimore Town of its contents. The following memorandum was attached to their dispatch to the Baltimore Committee:

“The letter of Col. Washington to Mr. Johnson, you’ll perceive, was not designed for public view. We are sorry that the meeting is so early as the 5th of September, but perhaps it will be better then, and at Philadelphia, than to run the risk of a new appointment.”

Thus Maryland was one of the first Colonies in America to propose the Continental Congress. She was perhaps first to choose representatives to that historic gathering.

EXTRACTS FROM THE CARROLL PAPERS

(Continued from Vol. XV, p. 65.)

April 8th 1773 [220]

Dr Charley

I have y^{rs} of the 3^d inst I wrote to the Major with a view that He might shew my letter to the Gov^r w^h I doubt not He has done, it Can doe us no Harme, it will let the Gov^r see Plainly our Sentiments, & if He will think the generall Sentiments of the People & may of Course be of Service to Him. Beside my letter to the Major if He answers it may draw something from Him & in order to th^t I seasoned it with some Complaisance; I know Him to be a Courtier but I believe Him to be One of the best of th^m th^t is He would follow His owne opinion if His office did not determine Him to follow the opinion of Others

You say the Gov^r looks very Cool on you, you must laugh at th^t Coolness, & if you have a mind to Mortify Him seem not to perceive it, & Pay Him the same regard you formerly shewed Him, from th^t He must infer th^t you think you have given Him no offence or it may prompt Him to some Behaviour w^h it may not become you to Overlook, in th^t Case you may also put on a distant Coolness by makeing Visits seldom. His Behaviour to Molly as she represents it to Her Mother was very odd & foolish, give my love to Her & tell Her I Congratulate Her on it, for I do not know th^t His Smiles or intimacy have redounded to the Credit of any Ladies on whome He has been pleased to bestow them.

I am glad to Hear you have settled with Digges the sum we allow Him for Cliftons Bond, when you pay it may it not be proper to take from such a Man a generall release, I wish it had been done when you entered into Bond. I hope the Comp^a will not Contribute to Rebuild the Bridge nigh their works, they ought to Remember th^t they were ill used by the County. The

Water went about a foot over Ellicotts Bridge but did not Hurt it, it washed a good deal of Dirt from the abutments, the Damage as Ellicott told me may Amount to £5 they were forced to Cut downe the Bank of their Race to let the Water into the Falls, which otherways would have Hurt their Mills. My Wheat at 7/6 Came to £262:10:0 they payed me £20 & I took their note payable the 8th of June for £242:10:0 If you are Pinched for Cash I think I can send you by Mr Ashton £50. Frost Having payed me £58. You tell me you have a beef at the Island, But you do not say whether you will want one from Hence, it is time to turn out those we fed Here. Before you Consent to Build a Furnace be Certain th^t all Concerned will be empowered to advance their Shares. You doe well to think of my little Nephews & y^r Cousins Education. This is Charming weather, I walk a great deal, Business at all the Plantations goes on well & we are full as forward as any of our Neighbours, it is hitherto the finest Spring I have knowne for many years, a great prospect of Fruit, God Avert a late Frost. I Hear Morgan the Gov^r of the new Colony is Come in wth Coll Mercer who is Surveyor Generall of th^t Colony, & th^t Za: Hood is also Come, if you have any Particular news Communicate it

If West will give 16/8 ster p^r C^t I would let Him Have our tob^o, His property Here is Great, He it is true seems to be in the High Road to Ruin. I should incline to keep our tob^o if 16/8 Cannot be got. Considering Dulanys Pusilanimity & His being Conscious of His loss of Popularity, I think it is more than Probable He will not face an Assembly. Has the disorder on the Eastern shore ceased or is it Considerably abated? Send me by the Boy, the two old Books of our Acts of Assembly, & if any Law be past since 1763 or the Publication of Bacons Laws Relating to the Measures of Bushells $\frac{1}{2}$ Bushells or other Measures send it to me, I want it for the sake of Ellicott who is threatened to be presented on Acc^t of His Measures doe not begrudge a little time to look for the last mentioned law. April 9th it is so Warme th^t I have been obliged to put on a Thinner Westecoate. My love & Blessing to you all & Health & Happiness, it is no Compliment to you & Molly when I tell you th^t

it seems to me I long more to see my Dear little Grand-Daughter than either of you. Kiss my Dear little Poppet for me. If the Provincial Court should adjourn I hope to see you before you goe to the Island. Give my Compliments to Mr Deards. I am Dr Charley

Y^r Mo: Aff^t Father

Cha: Carroll

April 13th 1773 [221]

Dr Charly

I did not write by Johny Expecting a letter from you by Clem who Came Home this day about three a Clock, He says you gave Him leave to goe to the Marsh to see His Aunt I have ordered Him a good Whipping. Young Mr Dorsey who reads the Law with Mr Jennings told me Antillons Piece was Generally Censured in Annapolis for its Scurrility. Mr Hen. Howard who was at the Vestry yesterday told me He was Censured very Severely by Every one there on the same Acc^t His Fathers Servitude the story of Brannock & the boate in Patuxent was not forgot. He is an Insolent Blackguard & I think He would not Have filled so much of His Piece with Scurility if He could Have Substituted Reason insted of it. I have not read it with Sufficient Coolness to judge of the Law part of it. What doe you & those you Can Confide in think of it? Do you think You Can give it a full & Satisfactory Answer? Answer at large these two Queries by Mr Ja^s Howard who will be with you this week or by any other safe Hand as I shall not send downe next Saturday: By the same opportunity send the News Papers. I shall not send you any Cash by Mr Ashton as you do not say you want it. I hope you will let y^r Labours ag^t Antilon give place to the Performance of y^r Easter duty. Antillon took time to Answer you, do not write in a Hurry but take time to Answer Him. I suppose Goldsborough is in Towne, Consult Him & Johnson as to the Law Part. Where are the Whigs? Have they dropt you? I wish they would Answer Antilons Scurrility, But I would not have you doe it by any Means, You gained great Credit by the Decency of y^r

last Piece & in th^t Piece you sayd you should have overlooked His illiberal abuse &c. We are well & desier our love to you Molly & our Dr little Girl. I give my Blessing to you all & wish you perfect Health & a long Continuance of it. I am Dr Charly

Y^r Mo: Aff^t Father

Cha: Carroll

P. S.

Pray spare time to write me fully on the above Subject of Antilons Piece & y^r Answer to it & what other news you can pick up. It is strange we have no Ships

April 16th 1773 [222]

Dr Charley

Since my last I have Read Antilons last Piece with Attention & think you will be able to give it a full Answer: One third of it I think is taken up in Abuse, which He makes use of in order if Possible to Persuade the Publick th^t you are a Contemptible Writer. But I think the Prepossession is so strong & Great in y^r favour that it is not to be removed by Scurrility. I inclose you some notes, if any of th^m should be of service to you it is well, if not I shall not begrudge the little time I spent in making them. Antilon aimes much at exasperating the Gov^r & Council & makeing the Proclamation as much their Act as His, Nay makeing it as much as He dared Entirely the Gov^{rs} Act in y^r Answer I would Have you Manage the Gov^r as much as you Consistently Can with the Force & Eeconomy it. I shall send downe the 24th by th^t time I hope you wil Have time to send me the Heads or an Epitome of y^r Piece, & if before th^t time you Have a safe Conveyance Pray answer this & my former: You must be sensible th^t at this time I am very impatient to Hear from you. Our Wheat & Rye Fields after this Rain look Charmingly, so much fine Verdure before our Door is Delightfull. The English Filly has a Confirmed Ring Bone, she will be fit for nothing but a Breeder. I think to goe to see Mr Croxall the 26 or 27th instant, I Hear He is much

better than He has been for a long time past. Charge Ensor with the within Three Pounds. I have been this Morning at the Folly & Frosts, The Folly looks Charmingly Frosts Plantation is in good order & the Pool Meadow looks well but I saw 6 hogs in it. This is fine growing Weather, I have not knowne such a spring Since I came from England. Pray read over my notes the trouble wil be repayed if you find but a Single thought th^t may set of y^r Piece. We are wel God grant you may al be so & long very Long Continue so. Kiss my little Girl for me. My love & Blessing to you all. I am Dr Charly

Y^r Mo: Aff^t Father

Cha: Carroll

P. S.

Pray do not let y^r Political
Lucabrations so ingross y^r time
as not to write to me by some
Safe hand, w^h you may find if
you will look out for it.

If I do not see Something from the Independ^t Whiggs in yesterdays Paper I shall Conclude they Have left you to fight the Publicks & y^r Owne Battles.

May 6th 1773 [223]

Dr Charley

I have y^{rs} of the 1st instant. I easily read y^r rough draft & am very wel Pleased with it & I am Confident it will be as generally liked as y^r last: Were I to make any alteration in it, it should not have Contained any Appearance of Personall abuse, especially the word knave, you could not be too Severe on His Politicall Character & Principles. I shall say no more untill I see you w^h I hoped to doe this day as the Proof sheet must have been brought to you last night. However I hope you will not Exceed next Saturday unless someth^g very Material prevents you w^h you wil let me know by the Bearer & How you all doe. My love & Blessing to you all. I am Dr Charley

Y^r Mo: Aff^t Father

Cha: Carroll

May 14th 1773 [224]

Dr Charley

I was very glad to hear by Sam th^t you was well & th^t you did not get wett, I know not how you Could escape it as it Rained Here almost all the forenoon, I hope you have not got a Cold by travelling in such Weather so soon after a Vomit. Relying on Do^r Scots letter to M^{rs} Darnell I am not very uneasy about Molly, However by Ellick I hope to Hear she is much better & th^t you & M^{rs} Darnall are well, I am fearfull the Journey will Hurt Her, she seemed very Unable to bear the Fatigue. If Daniel & His Daughter are with you Pray give my love & Service to them. If the state Molly is in affords you Peace of Mind let me know what is sayed & How y^r last Paper is Received: Do^r Pue says it is much admiered about E: Ridge. Have you no English News Papers? I am glad to Hear Our goods are Come in, a disappointment would have proved a Great loss. Give my service to M^r Deards & tel Him I desier He will favour me wth a Continuation of the Narrative begun in His last. I pity poor M^{rs} Darnall, 12 a Clock it now Rains & looks likely to Continue. My love to you all & blessing to you Molly & my Dr little Girl. God Grant you all perfect Health. I am Dr Charley

Y^r mo: Aff^t Father

Cha: Carroll

Written on the back of No. 224

Let me know when Frost who brought in the Vignerous Cast Anchor, th^t is the day, that I may Endorse it on their Indentures.

May 15th 1773 [225]

Dr Charley

I have y^{rs} of yesterday. It gives me great Satisfaction th^t Molly is almost recovered of the measels th^t you are better & M^{rs} Darnall in good Spirits, When she has recovered Sufficient Strength & Molly Can spare Her I should be glad to see Her.

I am obliged to you for y^r Acc^t of yesterdays transactions, they must be Mortifying indeed to the Dulanys, their Pride &

Insolence is Humbled and what is stil more galling they have great reason to fear an end to their Power influence & future promotion. Pray desier Mr Deards to send me the E. Ridge Invoice & shop notes when Enterd. D: D: or Chace must have made Concessions or their Peaceable Return from the field of Battle is unaccountable, by this time you or Mr Deards may be able to let me into the secret. Should you be addressed I do not Question but y^r Answer will be Polite & Modest, you have time to think of it. Avoid Publick & Party Meetings, seem not to Affect Popularity, I think y^r Papers deserve & have Etablished it. Who is deemed to be the Protestant Planter? I write by Mr Hansons man who will deliver this & bring y^r Answer, He leaves Towne on Monday morning, by Him I hope to Hear th^t you are all well. I am Dr Charley

Y^r mo: Aff^t Father

Cha: Carroll

May 20th 1773 [226]

Dr Charley

I have y^{rs} of yesterday. I shall not goe to the meeting on E: R: next Saturday. I send the Bearer wth y^r mares they still Continue to take the Horse. Capⁿ Eden Major Ridgely & Mr Clapham dined with me this day. Ridgely Came lately from Philadelphia & says y^r Papers are much admired there & every where, th^t Boucher on reading y^r last Paper sayd th^t you was an author wth whome it was an Honor to Contend. I have nothing more to say but to give my love & Blessing to you Molly & our Drs little Polly & to say th^t I wish you all perfect Health & a long Continuance of it. I am Dr Charley

Y^r mo: Aff^t Father

Cha: Carroll

P. S.

M^{rs} Darnall's mother dyed last week after a short indisposition & was buried last Saturday; this I had yesterday from H. Brown who had it from Her Husband whome He saw at Frederick Towne. This Intelligence you will Communicate to

Her when you see Proper. You may see some of my neighbours next Monday at the Election, Pray Embrace the Opportunity to let me know how you all doe & any other News worth Communicating, for I shall not send downe until the 29th unless I hear some of you are not well.

June 4th 1773 [227]

Dr Charley

I have y^{rs} of the 31st past with £60. Pray bring with you £80 or £90 Pounds I shall Certainly be able to replace What sums I Call for by the 1st of Aug^t. If Mr Frost goes with the Wagon send the Cash by Him. Pray write to some Gentⁿ in Philadelphia for 30 Sides of Soale & 30 Sides of Upper Leather for Negroe shoes to be sent as soon as Possible to Mr Hen: Browne in Baltimore Towne, the Upper leather must not be blacked, you know the Tanners name by His last Acct. Pray write before you leave Towne & send it by the next post. I long to see y^r Answers to the Addresses & Antilons Piece, I suppose He spent His fier in His former productions & th^t this will have little new strong or striking: Let me Have y^{rs} & as far as you Can learn the opinion of others on it, do not put me of as you did in y^r last by telling me you should soon see me. I suppose you will want the Stallions, if so when must I send them? Every thing there is in good order & in a thriving way, but this Close Hot weather makes me fear the Rust in the Wheat. My love Blessing & Health to you all. I am Dr Charley

Y^r mo: Aff^t Father

Cha: Carroll

NOTES

Gummey, Richard (Gummy, Gumey, Gomey, Gomie, Gumby &c.) came to Virginia in 1635 at the age of 21 (See Hotten's "Original Lists" p. 95). Descendants, collateral relatives, and other persons possessing information concerning him, please communicate with Miss E. A. Gummey, 104 Cliveden Avenue, Germantown, Phila., Pa.

The forms for this issue have been held until July 1st, for the publication of the memorial minute of our late President, former Governor Edwin Warfield.

As the "copy" has not yet been received from the committee, its publication must go over to the September issue.—EDITOR.

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Editor.

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EDWIN WARFIELD, 1848-1920

In pursuance of the resolution adopted at a special meeting of the Maryland Historical Society on the 2d day of April, 1920, the committee appointed to prepare and present a suitable minute upon the loss which the Society has sustained by the death of our late President, EDWIN WARFIELD, respectfully submit the following:

In the columns of the press and in other publications, emphasis has been laid upon the many activities of our former President, Edwin Warfield, and upon the very unusual degree of success which he achieved. Doubtless little can be added in this memorial to what has already been said. It is our privilege, however, in lamenting the death of our late President, to record some of his notable achievements and to pay tribute to his many sterling characteristics.

Edwin Warfield was born at "Oakdale," his ancestral home in Howard County, on May 7th, 1848. His parents were Albert G. Warfield and Margaret Gassaway Warfield, nee Watkins, both of whom were descended from families which had been actively and prominently identified for many generations with the history of our State. The impoverishment of his family as a result of the war between the States required him to start life with little else save a healthy body and a spirit of energy, industry and ambition which never flagged.

While a boy of eighteen, teaching in a log cabin school in Howard County, Edwin Warfield began to build hopes and to formulate plans which evidently met fullest realization. We find him early in life occupying positions of public trust and responsibility. His services as Register of Wills for Howard County were marked by courtesy and efficiency. In 1881 he was elected to fill out the unexpired term of Senator Gorman in the State Senate of Maryland and in 1883 he was re-elected for the full term of four years. His record as member of that body, and especially as its presiding officer in the Session of 1886, established for him a reputation for ability and impartiality which insured his success in public life.

He received from President Cleveland the appointment as Surveyor of the Port of Baltimore and assumed the duties of that office on May 1st, 1886. This position brought him in close contact with business men in Baltimore and gave him many opportunities for widening the circle of his friends.

Aspirations to become Governor of the State of Maryland came to him in early life, but it was not until many years afterwards that these desires were realized. In 1903 the Democratic party in Maryland selected him for the head of its ticket and he was elected Governor by a large plurality. His record in that office is a glorious heritage to his family. In it his ideals are clearly reflected, and the hopes and ambitions of many years found happy fruition.

During his term as Governor of the State of Maryland, he found numerous opportunities of putting into successful operation plans for creating and perpetuating records of historical events in the history of our State. The arrangements in connection with the return of the remains of the Revolutionary hero, Paul Jones, the infinite care with which the old Senate Chamber at Annapolis, in which George Washington surrendered his commission, was restored to the appearance it then possessed—these were among the matters which gave to Governor Warfield a feeling of intense happiness which no one other than an ardent lover of history could experience.

If evolution is history, it is true that history can be said to exist in the processes through which the thoughts and inspiration of leaders of men are translated into action. President Warfield in his political and financial career found extraordinary opportunities to develop and to put into useful practice many historical theories which he had cherished in his early life. He was both a student and a maker of history.

In the business world of Baltimore and of the State at large Governor Warfield's rôle was a big one—in many respects a creative one. He foresaw more clearly than any other man the wonderful possibilities which would arise from a far-reaching development of corporate suretyship, and in spite of severe setbacks and trying discouragements he organized in 1890 the Fidelity and Deposit Company of Maryland. That company became a pioneer in corporate suretyship throughout the country and in a few years occupied a position of great importance in financial affairs in Baltimore. Later the Fidelity Trust Company was organized as an offshoot of the Fidelity and Deposit Company. Governor Warfield served as President of both of these institutions with ability and distinction until failing health in January, 1920, required him to give up active duties, although his interest in the welfare of these companies remained unabated.

He was an American to the core. His ancestors living at the time of the Revolutionary War, espoused the Cause of Independence, and, as said by the *Baltimore Sun* "they ruled him from their tombs, but ruled him so that all men honored and respected him." We all remember his whole-souled interest in all organizations having as their object the cultivation of patriotism and the preservation of those traditions which breathe a devotion to the principles upon which our Government is founded.

Governor Warfield was an honorary member of the Maryland Society of the Cincinnati. He was also a member of both the Maryland Branch, and of the General National Society, of the Sons of the American Revolution, and served with distinction for a number of years as President of each.

Few men lived more in the past, and drew more upon tradition, for he believed that tradition hands down many of the best things of the past with more precision and fidelity than books can transmit; yet few men grasped problems of the present with a more accurate appraisal, or turned opportunities more successfully to the service of high and useful purposes.

For nearly two score years Edwin Warfield was a vital factor in the life of the Maryland Historical Society. He became a member of the Society on the 10th day of March, 1879, and from that date until his untimely death, his interest in the Society never flagged. The record of his activities is a full one. For a number of years he was Trustee of the Peabody Fund and he served continuously from 1894 to 1913, on various standing committees. He was a member of the Finance Committee from 1901 to 1913, and was its Chairman during the last two years of that period. On February 12th, 1894, he was one of those charged with making arrangements for the celebration of the Fiftieth Anniversary of the Society. On May 13th, 1895, he was placed on the Washington Monument Committee. On April 12th, 1897, he became a member of the committee for the selection of two Marylanders for the National Memorial Hall. The many positions of trust and responsibility held by him in the Society culminated in the office of the Presidency, which he filled with distinction from January, 1913, until his death, March 31st, 1920.

President Warfield entered upon his duties as President of the Society with a spirit of enthusiasm and a feeling of reverent devotion to the history and traditions of Maryland. It was his ambition, among other things, to restore the Maryland Historical Society to its pristine position as a meeting-place for notable assemblages. The Maryland Historical Society had played a leading part in the social and general community life of Baltimore City fifty or more years ago. There was no reason in President Warfield's mind why this position should not be restored. As soon as he became President he endeavored to take steps to accomplish this result, but the out-break of the World War interfered very seriously with his plans. However,

much was done to improve the appearance of our home, and more and more stress was laid upon opportunities to use the Society for important gatherings, and for increasing its facilities to do research work in Maryland history.

President Warfield shared in the opinion that the historic site of the Society, though hallowed by its associations, was ill-adapted to preserve the priceless records and other possessions of the Society. The necessity of securing a suitable home for the Society and a sufficient endowment fund was much in his thoughts. When the generosity of Mrs. Mary Washington Keyser made the first of these hopes a glorious reality, President Warfield began to formulate plans for raising an endowment fund sufficiently large to indicate our grateful appreciation of Mrs. Keyser's generosity, and adequate to meet the growing needs of the Society.

When the opportunity arose of utilizing the home of the Society in the work of preparing suitable records of Maryland and Maryland men and women in the World War, President Warfield heartily endorsed the suggestion that the Society should lend every possible assistance.

Even when failing health made active participation by him in the affairs of the Society an impossibility, he lost none of his zeal in its welfare and development. At the last meeting between himself and an official of the Society, he emphasized his intention of devoting the remaining years of his life to the upbuilding of the Society, and especially to the securing of an endowment fund. His days in the Maryland Historical Society were days of earnest endeavor and constant usefulness and his activities on behalf of the Society constitute a bright chapter in its history.

Committee:

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GEORGE L. RADCLIFFE,
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THE OLD INDIAN ROAD

WILLIAM B. MARYE

PART II

At the session of the Baltimore County Court held in March, 1739/1, an order was passed "that the road formerly cleared from the Long Calm to Mr. Gists ¹ be continued into the road commonly called the Old Indian road and that to be a main road to the Main Falls of Potapsco to be cleared by the respective overseers such part as lies in their several precincts." (Baltimore County Court Proceedings, Liber —, 1730-1732, f. 98.)²

At a session held in August, 1728, Luke Stansbury was appointed overseer "to clear a road according to law from the Long Calm of Gunpowder Falls to Edward Ristons plantation at the Garrison Ridge." (Balto. Co. Court Pro., Liber I. W. S., No. 6, 1728-1730, f. 26-28.)³

At a session held in November, 1733, the court issued two orders concerning roads, which are as follows:

"Samuel Owings is appointed overseer of the roads from Henry Butlers ⁴ up by Garrison ⁵ to the North Run ⁶ and from

¹ The title "Mr." (generally reserved in those days for heads of prominent families and holders of office) and the absence of the Christian name, indicate that Richard Gist was meant. A younger member of the family would have been designated by his Christian name with or without the "Mr."

² The author has not succeeded in finding the letters by which this book should be described. It can, however, easily be identified by the above dates. It will be found in the office of the Superior Court Clerk, Baltimore Court House.

³ These letters should probably be "H. W. S." for "Humphrey Wells Stokes."

⁴ Probably not very far from Pimlico. In 1704 Henry Butler had surveyed a tract of 200 acres called "Hope" adjoining the tract called "Pemblico." In 1745 Oliver Cromwell conveyed to William Hammond "Crom-

said Butlers by George Oggs and James Wells to Gwins Falls and the rolling road from Edward Reestons till it intersects the road from Walkers Mill to the said Butlers ⁷ and *the court road from the said Reestons to Gwins Falls.*"

"The upper hundred of Potapsco is divided by order of court by the Court road which leads from Edward Reestons by Mr. Richard Gists house until it intersects Gardiners Glade a branch of Benn's Run and with said Glade and run to the Main Falls of Potapsco, the north side Hundred to go by the name of Soldiers Delight Hundred, William Rowles is appointed constable thereof." (The above orders of court will both be found on page 125 of Liber —, 1733-1734, of the Baltimore County Court Proceedings.)

The foregoing records, as we shall presently observe, undoubtedly reveal the origins of the road known today as the Old Court Road or as the Old Joppa Road and formerly known

well's Chance" lying "between Henry Butler's and the Garrison Ridge." "Pemblico" from which Pimlico Race Course and the Pimlico Road take their names, was surveyed for John Oldton and Thomas Hedge April 26th, 1699, and contained 800 acres. "Hope," "Cromwell's Chance," and "Pemblico" lie adjacent to one another.

⁵ The fort erected by Captain John Oldton or Oulton. It stood at the head of the branch of Jones Falls now called Slaughterhouse Run and about half a mile east of the present Garrison Road. A tract of 340 acres called "Oultons Garrison" surveyed for John Oulton May 13th, 1696, is described as beginning "at a bounded red oak standing on the east side of a glade by the Garrison." It has not proved difficult to locate approximately the beginning of "Oultons Garrison" from various deeds, surveys, and resurveys.

⁶ The North Run of Jones Falls which descends through "The Caves" tract.

⁷ Walker's Mill appears to have been on Jones Falls, and was probably well within the present city limits of Baltimore. On July 6th, 1733, Dr. George Walker and Jonathan Hanson obtained a writ of *ad quod damnum* on twenty acres of land on both sides of Jones Falls for the purpose of erecting a mill. Ten acres of this land they already owned. The tract name is not given. (Chancery Record, Liber I. R., No. 2, f. 652.) In 1787 Moore's Upper and Lower Mills, formerly the property of Dr. George Walker and of Jonathan Hanson were offered for sale. (*Maryland Gazette and Advertiser*, December 7th, 1787.) The road above referred to as leading from Edward Reeston's to Walker's Mill is probably identical with the present Falls Road.

as the Court Road.⁸ It received its name from the fact that it went direct to court, that is, to Joppa, the ancient county-seat on Gunpowder River. At the Long Calm Ford on the

⁸Of the following allusions to the Court Road the first refers to that section of the road known today as the Old Court Road. The remainder have reference to those sections called today the Old Joppa Road and the Camp Chapel Road. Words in parenthesis are the author's notes:

"Nicholas Orriek continued (overseer of the roads) from the widow Owings's to Shipley's Mill from where the court road crosses said road to the main falls of Potapseo, from the main falls by Joshua Sewells old plantation until it intersects said road and from the east side of Gwins Falls where John Simpkins ends by Nicholas Orricks until it intersects the great roads that lead from William Hamilton." (Baltimore County Court Proceedings, Liber B. B., No. A, November Court, 1754.)

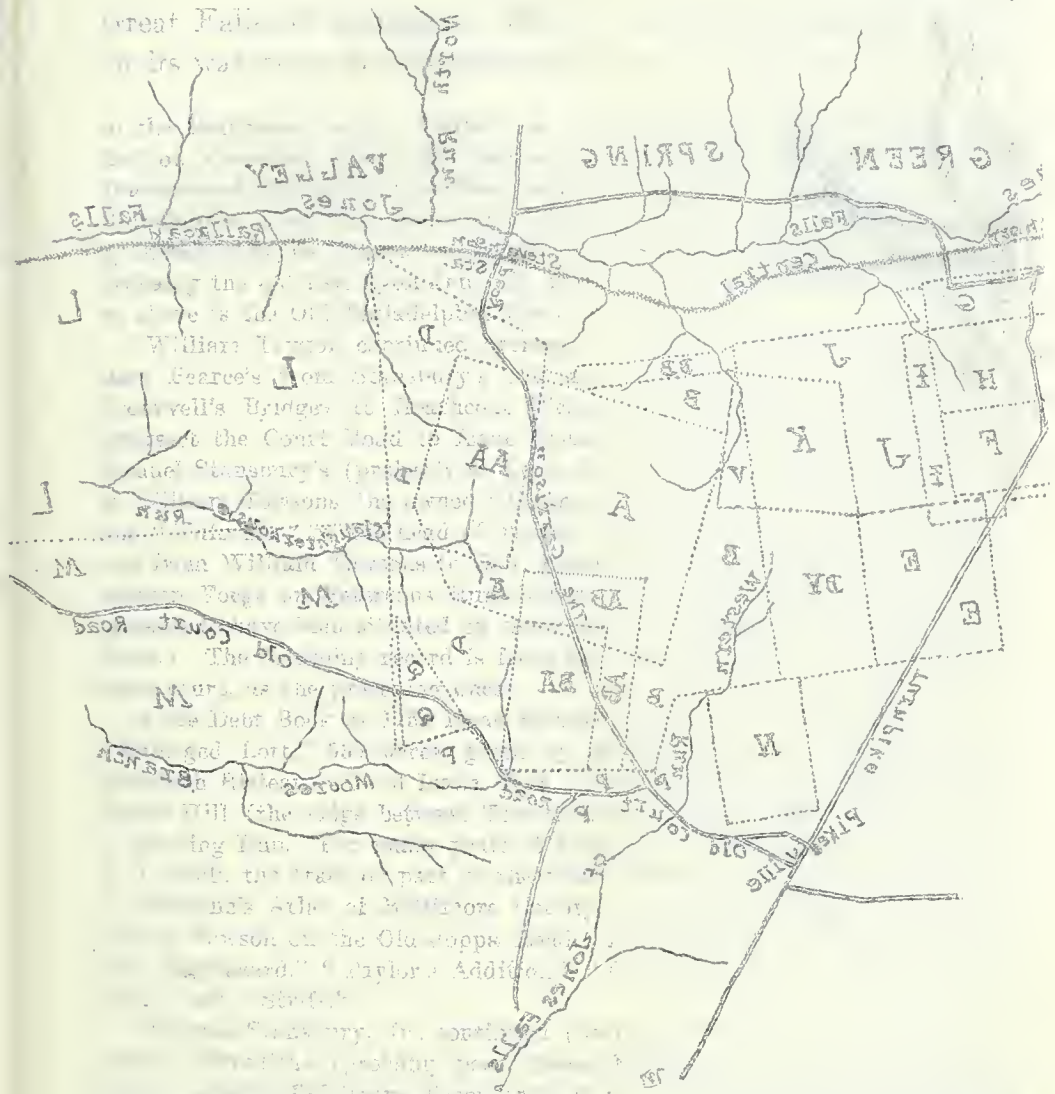
"Nicholas Merryman son of Samuel appointed overseer of the Roads from Baltimore Town by Benjamin Bowens (he then owned "Morgan Delight" between Baltimore and Towson, the York Road and Jones Falls, and "Samuels Hope," near Towson) till it intersects the Court Road, from Samuel Hopkins's (probably on "Friends Discovery," between Towson and Govanstown) until it intersects the Court Road from said town by Joseph Taylors (on Herring Run) until it intersects the Court Road and from Hitchcock's old field towards William Parishes until it intersects the Court Road. (Same book as foregoing, same court.)

"Jonathan Starkey appointed (overseer of the roads) from Gunpowder Ferry (on Gunpowder River opposite Joppa) to the little valley at the north end of Mr. Lawsons lane by Hatchmans old house from the Great Falls of Gunpowder to intersect the County Road by Rhoderick Cheynes and from said Great Falls along the Court Road up opposite to Heathcoat Picketts house." (Same book as foregoing, same court.)

Heathcoat Pickett, according to the Baltimore County Debt Books, owned in 1754 two tracts, "Jacobs Inheritance" and "Good Hope." In 1755 and in 1756 he is credited with a solitary tract, "Good Hope." The former lies about a quarter of a mile north of the junction of the Old Joppa Road (the Court Road) and the Bel Air Road. The latter lies on the south side of the Harford Road near Cubb Hill, between the Falls and the Old Joppa Road, and about half a mile from the latter.

The "Mr. Lawson" above referred to was evidently Alexander Lawson, Manager of the Nottingham Iron Works, which were situated on the Great Falls of Gunpowder just above the present Philadelphia Road. The names of "Forges Bridge," "The Forge Road" and "Forges Church" commemorate these works, the ruins of which are still to be seen.

Roderick Cheyne, Principal of the Baltimore County Free School, apparently owned no land, and probably lived on the Free School land, which was situated in the neighborhood of Knight's Corner about half a mile east of the Falls, where the present Philadelphia Road diverges from the Old Philadelphia Road. This land was conveyed by Thomas Tolley



rions surveys, reservoirs, wells and deeds relating to these lands.

It and others as given on G. H. Hopkins's chart of the Third District of Baltimore County, with Charles T. Cooley, J. E. Glasgow, Cardiff Taggart, Richard B. Maynard, Patrick Henry Walker, Philadelphia in 1877. The lines of the various surveys were computed on the basis of the lineographical features of this map were taken from G. H. Hopkins's Atlas of Baltimore County

"Heber"
P = "Coxwell's Elbow Room."
N = "Shipkin's Repose,"
M = "Litterfornas."
J = "El O'Carroll."
I = "Hurt's Camp."
Y = "Howard's Square,"
K = and sold to Cornelius Howard, 1792.
I = "Security" surveyed for George Osgood, Jr., 1792,
H = "George's Beginning," possessed by George Osgood,
G = "Addition," possessed by George Osgood, 1792.
F = "High Level," possessed by George Osgood, 1792.
D = "Orebeck's," possessed by Captain John Richardson, 1792.
A = part of "O'Brien's Garrison," sold by Murray Tappan, 1700, and possessed by Captain
AB = part of "Companyscape," and of "O'Brien's Garrison," called by Richard Gist.

Richard (died 1747)
 "called" "Brother's Good Will" or
 "Confraternity" and of "Orison's
 society, 1747.
 and added to "Confraternity", by Mr.
 "Garrison"
 land included in Richard Orison's re-
 tained this land in 1747.
 1739, but not patented.
 "s' Debit" survived for Joseph
 undoubtedly claimed the whole in 1738.
 and was partly vacant land.
 lows that this land contained a part of
 "Confraternity", made for "Wm" in
 in 1747, described in the deed as
 of two tracts" unnamed. The survey
 ven by Joseph Murray to Lemuel
 in 1738.
 "Confraternity" owned by Joseph
 "Orison's Garrison" owned by Joseph

A MAP

of early surveys laid out between Jones Falls and the Old Court Road, showing the lands owned by Josephus Murray in the year 1738, through which the Old Indian Road passed, the lands of George Ogg and of Captain John Risteau mentioned in 1738 in connection with the Old Indian Road, and the land on which Richard Gist lived.



The topographical features of this map were taken from G. H. Hopkins's Atlas of Baltimore County published in Philadelphia in 1877. The lines of the various surveys were computed on the basis of the lines of the lands of Charles T. Cockey, J. E. Clayton, Cardiff Tagart, Richard F. Maynard, Patrick Henry Walker, Thomas Cradock and others, as given on G. H. Hopkins's chart of the Third District of Baltimore County, with the help of various surveys, resurveys, wills and deeds relating to these lands.

EXPLANATION

A = part of "Oulton's Garrison" owned by Josephus Murray in 1738.
 B = part of "Counterscarpe" owned by Josephus Murray in 1738.
 BV = land given by Josephus Murray to Jemima Ashman, in 1743, described in the deed as "part of two tracts" unnamed. The resurvey on "Counterscarpe" made for Murray in 1747 shows that this land contained a part of "Counterscarpe" and was partly vacant land. Murray undoubtedly claimed the whole in 1738.
 E = "Murray's Delight" surveyed for Josephus Murray, 1720, but not patented. George Ashman patented this land in 1747.
 BB = vacant land included in Richard Croxall's resurvey, "Garrison."
 V = vacant land added to "Counterscarpe" by Murray's resurvey, 1747.
 BA = part of "Counterscarpe" and of "Oulton's Garrison" called "Brother's Good Will" on which Richard Gist lived.

AB = part of "Counterscarpe" and of "Oulton's Garrison" called "Addition to Brother's Good Will" owned by Richard Gist.
 AA = part of "Oulton's Garrison" sold by Murray to Talbot, 1700, and possessed by Captain John Risteau, 1738.
 D = "Credentia" possessed by Captain John Risteau, 1738.
 F = "Rich Levell" possessed by George Ogg, 1738.
 G = "Addition" possessed by George Ogg, 1738.
 H = "Georges Beginning" possessed by George Ogg, 1738.
 I = "Security" surveyed for George Ogg, Jr., 1723, and sold to Cornelius Howard, 1742.
 J = "Howard's Square."
 K = "Hurd's Camp."
 L = "Ely O'Carroll."
 M = "Litterlouna."
 N = "Simpkin's Repose."
 P = "Croxall's Elbow Room."
 Q = "Hebron."

Great Falls of Gunpowder River it met a more ancient road on its way from the tidewater settlements of Patapsco towards

to the Baltimore County Visitors in 1724. It should be noted, however, that on November 12th, 1784, Clement Skerett advertised in the *Maryland Journal and Baltimore Advertiser* the re-opening of a stone tavern on the Philadelphia Road 13½ miles from Baltimore Town "heretofore occupied by Messrs. Cheyne, Stevenson, Godsgrace, Phillips and Legett." This was probably the old Red Lyon Inn. In any case the "county road" referred to above is the Old Philadelphia Road.

"William Towson continued overseer from Heathcoat Picketts to William Pearce's from Stansbury's old mill place on the Great Falls (at Cromwell's Bridge) to Heathcoat Picketts from the said mill place to intersect the Court Road to Isaac Risteaus and to charge the road from Samuel Stansbury's (probably at Loch Raven, where he owned much land) to William Towsons (he owned "Gunner's Range" on the site of Towson and "Vulcania" on the head of Towson Run a mile west of Loch Raven) and from William Towsons to Coll. Ridgely's Mill." (Perhaps the Northampton Forge on Petersons Run, but more probably a grist mill, which appears to have been situated on the Great Falls near the present Harford Road.) The foregoing record is from the same book of court proceedings, same court, as the preceding ones.

In the Debt Book of 1754 Isaac Risteau is credited with only one tract. "Enlarged Lott," 535 acres, given by Abraham Raven to his daughter Elizabeth Risteau, wife of Isaac, 1748. This land lies on the south side of Setter Hill (the ridge between Towson and the Great Falls) at the head of Herring Run. For many years it belonged to the Ridgely family, and is, I think, the tract or part of the tract marked "Ridgely heirs" on G. H. Hopkins's Atlas of Baltimore County, lying about a mile and a half east of Towson on the Old Joppa Road. It adjoins or lies near to "Hillen's Haphazard," "Taylor's Addition," "Philemon's Lott," "Shoemaker's Hall," and "Strife."

"Thomas Stansbury, Jr., continued (overseer) from the Great Falls by Samuel Merediths (probably near Meredith's Bridge, formerly Meredith's Ford) towards Baltimore Town until it intersects the Court Road from Richard Chincoaths towards Baltimore Town until it intersects the Court Road." (Same book, same session of court.) Note the absence of punctuation in these records.

"The court continues Joseph Sutton overseer of the court road from Heathcoat Picketts to William Pearce's, from Stansbury's old mill place on the Great Falls of Gunpowder to intersect the court road towards Isaac Risteau's late dwelling plantation." (Court Proceedings, Liber B. B., No. C, November Court, 1756.)

"Loveless Gorsuch (appointed overseer) of the road from Stephen Gills to the Court Road and from Jones Falls to William Pearces (no land credited to him in the debt books) along the Court Road." (Court Proceedings, "Sessions," 1754-1759, November Court, 1757.)

Philadelphia.⁹ Only some two miles of the Court Road are missing today—the section lying between the Long Calm and the Camp Chapel. Between the Camp Chapel and the Bel Air Road the Court Road is known today as the Camp Chapel Road.

The Long Calm Ford—in former times probably the most famous ford in Maryland, but now almost forgotten—is situated on the Great Falls of the Gunpowder River about half a mile above the Philadelphia Road bridge. The earliest mention of the ford by this name may be seen in a record of the year 1692.¹⁰

“Joseph Bosley, Jr. (appointed overseer), of the road from Stephen Prices (near Cockeysville) to the Court Road and from Wheeler's Mill to the Court Road.” (Same book as foregoing, November Court, 1758.)

“Walter Tolley is appointed overseer from Gunpowder Ferry to the little valley at the north end of the lane by Mr. Lawsons Works (the Nottingham Iron Works) by Hatchman's old house from the Great Falls of Gunpowder to intersect the County Road by Roderick Cheynes (the Old Post or Philadelphia Road) and from the said Great Falls along the Court Road up opposite to Heathcoat Picketts house and from the Pines (the Gunpowder Pines, a pine woods near Germantown at the head of Honeygo Run) to the Free School (near Knight's Corner on the Philadelphia Road).” (Same book as foregoing, November Court, 1758.)

⁹The Old Philadelphia Road from the Long Calm intersected the present Philadelphia Road at Knight's Corner half a mile east of the Falls. From the intersection it runs to and across the railroad. This stretch was the old race-course. Beyond the railroad and as far as White Marsh (Cowenton) it is known as the Red Lyon Road from the old Inn of that name. East of the Falls traces of the Old Post or Philadelphia Road still exist running up from the Long Calm and back of the Raphel farm, and through the negro settlement called Browntown. The old road met the present one at or in the neighborhood of Dieter's Mill on the Little Falls of Gunpowder, formerly Onion's Lower Mill. The Philadelphia Road was straightened from Onion's Mill to Skerrett's tavern in the year 1788, and a bridge erected over the Great Falls. (See *Maryland Journal and Baltimore Advertiser* for October 25th, 1785, and for February 19th, 1788.) This was the origin of the modern Philadelphia Road in that locality.

¹⁰At a session of the Baltimore County Court held in November, 1692, Thomas Preston, Overseer of the highways in Gunpowder Hundred, was ordered to clear a road thirty feet wide “beginning at the maine roade to the upper wadeing place called the Long Calme” (Baltimore County Court Proceedings, Liber —, 1691-1693, f. 22 or thereabouts.) The lower ford was situated just below the present Philadelphia Road or Forges Bridge. The reputation of the Long Calm was enhanced by the fact that the Nottingham Iron Works were situated adjacent to it. During

"The Garrison Ridge" was a place-name more or less elastic in its application which was used to denote the hills and ridges about the headwaters of Jones Falls.¹¹ It was derived from the "Garrison" or fort erected towards the close of the seventeenth century by John Oldton or Oulton, Captain of Rangers, at the head of a branch of Jones Falls now called Slaughterhouse Run.

Edward Riston, Reaston, or Reeston owned at this period, so far as the records show, but one small piece of land, some 80 acres, or the upper part of a tract called "Turkey Cock Hall," which he purchased of Richard Gist in the year 1713. This tract, laid out for Richard Gist April 25th, 1706, for 200 acres, lies between Brooklandville and Rockland Station on Jones Falls, and, as well as I have been able to determine, is traversed by Jones Falls and by the Old Court Road.¹²

Richard Gist at this time owned lands in three distinct localities. In the first place, he owned the residue of "Turkey Cock Hall." He also owned three adjacent tracts vizt. "Green Spring Traverse" and "Addition to Green Spring Traverse" surveyed for him Jan. 15, 1719, and March 31, 1721, respectively, and "Adventure" or "Street's Adventure" which he purchased from Francis Street in the year 1718 and later enlarged by resurvey. In 1728 he conveyed by deed of gift to his son Christopher Gist 350 acres out of the three aforementioned tracts. They lie between Gwinns Falls and the head of Jones Falls. "Adventure" is the land on which St. Thomas

the Revolution these works and the land attached to them were confiscated and sold to the Ridgely family. They then became known as Ridgely's Forges.

¹¹ Also called Garrison Forest or Rangers Forest.

¹² In the Maryland Land Record Office is a plat of surveys made (the plat is not dated, but the date is evidently towards the close of the eighteenth century) in connection with the suits of Johnson versus Bosley and of Johnson versus Kramer, tried before the General Court. This plat shows the situation of "Turkey Cock Hall" with reference to "Litterlouna," "Ely O'Carroll," "Cockey's Trust," "Beall's Discovery," "Addition to Poor Jamaica Man's Plague," "Miller's Choice," "Selsed," and other tracts.

Edward Reeston had surveyed in 1718 a tract called "Betty's Adventure" which he sold in 1722 to John Gardiner.

or Garrison Forest Church stands. The old Elder estate contained parts of each of these three tracts.

In addition to the above lands Richard Gist owned 200 acres part of the tract called "Counterscarpe," which he held under two deeds. On July 6th, 1711, Josephus Murray conveyed by deed of gift to his sister Zepporah Gist, wife of Richard Gist, 100 acres out of "Counterscarpe" called "Brother's Good Will"; and on October 31st, 1724, he deeded to Richard Gist 100 acres out of "Counterscarpe" adjoining "Brother's Good Will" on the west and called "Addition to Brother's Good Will."

There is in the Baltimore County Land Records (Liber T. R., No. D, f. 13) a deed of release dated September 1st, 1750, from Josephus Murray to Richard Croxall which runs as follows: "Witness that the said Josephus (Murray) did on the 25th day of July, 1747, convey and make over to the said Croxall part of 'Oultons Garrison' and part of 'Counterscarpe' with only reserve by bond from the said Croxall bearing date the 18th of May, 1747, of 50 acres of land where Mr. Richard Gist lived and where Zeporah Gist now lives with condition that the said Zeporah should have and live on the same during her naturall life, now these presents further witness that in consideration of £15 current money paid unto the said Zeporah Gist for her life in the said plantation being known by the name of 'Brothers Good Will' I do hereby quit claim and for ever release unto the said Richard Croxall . . . all the said land known and called 'Brothers Good Will' being part of the land called 'Counterscarpe.'"

Richard Gist died about 1741. It seems likely that he took up his residence on "Brothers Good Will" at the time when the land was deeded to his wife and made it his home for the remainder of his days.

On August 6th, 1752, a resurvey was executed for Richard Croxall, which included the larger part of "Oulton's Garrison" and most of "Counterscarpe." This resurvey, which was called "Garrison," embraced that part of "Counterscarpe"

called "Brother's Good Will" on which Richard Gist had lived. "Brother's Good Will" occupies the southernmost end of "Garrison." It lies about a mile east of Pikesville on the north side of and adjacent to the Old Court Road and a short distance east of the junction of the Old Court Road and the present Garrison Road. It is part of the estate called "Dumbarton."¹³

¹³On G. H. Hopkins' Atlas of Baltimore County, published in 1877, the lines of the various estates, tracts and farms of the Third District, as they then stood, are shown. By preparing, from plats of surveys and of re-surveys, a map showing the relative location of "Garrison," "Risteau's Garrison," "Ely O'Carroll," "Litterlouna," "Bedford Resurveyed," "Croxall's Elbow Room," "Hurd's Camp," Howard's Square," and other tracts, as well as any elder surveys which were included in the foregoing, such as "Oulton's Garrison," "Counterscarpe" and "Credentia," the author has been able, with the help of Hopkins' chart, to determine the situation of the various parts into which "Garrison" was divided. The following deeds were also consulted: Robert North Carnan to Edward A. Cockey, 1829; Samuel J. Donaldson, executor of Robert N. Carnan, to William M. Metcalfe, 1838; William M. Metcalfe to John A. Lloyd, 1853; John A. Lloyd to Cardiff Tagart, 1853; Cardiff Tagart to Aaron H. Tucker, 1855; Cardiff Tagart to James W. Beacham, 1855; Samuel O. Cockey to Noah Walker, 1859. The line indicated on Hopkins' map as running northward from the Old Court Road and dividing the lands of Patrick Henry Walker and Aaron H. Tucker is the given line of "Garrison" of "Counterscarpe." The point where this line begins just north of the Old Court Road is the beginning of "Garrison," "Counterscarpe," and "Brother's Good Will." "Garrison," on Hopkins' map of 1877, includes all of the estate of Charles T. Cockey and parts of the lands of Charles K. Harrison and Patrick Henry Walker. Part of P. H. Walker's lands south of and adjacent to the Old Court Road is "Croxall's Elbow Room." The land of Cardiff Tagart is part of "Garrison" and part of "Risteau's Garrison," a re-survey on the original "Oulton's Garrison," "Credentia" and "Hebron." The places marked "J. E. Clayton," "Robert Rickett" and "Mrs. Baseman" are also parts of "Risteau's Garrison." The first lines of "Ely O'Carroll" and of "Litterlouna" appear as the dividing lines between the lands of J. E. Clayton, Cardiff Tagart and Mrs. Baseman on the one side and those of Adolphus Cooke and A. S. Abell on the other.

Attention should be called to the fact that, in compliance with the petition of Richard Croxall presented to the Baltimore County Court in March, 1756, the course of the Court Road through the Croxall property was altered. This petition, which will be found in Liber B. B., No. 5, f. 468, is as follows: "Your petitioner hath a plantation on the Garrison Ridge which is very much incommodated by the Court Road going thro' it. That your petitioner to avoid the inconveniency hath at his own expense and charge and by the consent of the neighborhood cleared another road

It is the opinion of the author that the road laid out in 1728 from the Long Calm Ford to Edward Riston's or Reeston's was identical with that described in March, 1730/1, as having formerly been laid out from the Long Calm to "Mr. Gists." The order of court to construct the new road as far as Edward Riston's was probably exceeded so far as to extend it to Richard Gist's dwelling plantation, and this extension was probably made at the expense of the parties interested in having it done, of which there were doubtless many. From Richard Gist's it was extended in March, 1730/1, to meet the road called the Old Indian Road, which thereupon, from the point of junction to Patapsco Falls, became a county road. We shall see later that the point where the two roads met and became one was probably not far west of the site of Pikesville. There is scarcely room for a doubt, moreover, that the completed road, finished in 1703-1731 between the Long Calm and the Falls of Patapsco, is the road called in records of the time the Court Road, and known in part today as the Old Court Road, and that the present course of the Old Court Road between Pikesville and Patapsco represents substantially the line formerly followed by the Old Indian Road.

Apparently a genuine tradition that a section of the Old

through his own land by which means persons travelling that part cross no branches but only one good bridge and causeway which cannot be done as the road now goes; that your petitioner conceives it to be very little if any further round and hopes therefore your worships will approve of his intended alteration.' Which petition being read and heard is accordingly granted and it is ordered that the within new road be kept in repair by the overseer of the Court Road instead of the old road."

Richard Croxall owned at this time has resurvey, "Garrison," and a narrow tract of 112 acres called "Croxall's Elbow Room," which he had surveyed May 25th, 1749, and which bounds on the southern end of "Garrison" and is traversed by the present Old Court Road. He also owned two small parcels of the tract called "Bedford Resurveyed" of 62 and of 37 acres respectively. One of these lies between "Croxall's Elbow Room" and "Simpkin's Repose" (see map) and is not, according to my calculations, touched by the Old Court Road. The other parcell lies adjacent to the west of "Simpkin's Repose" on both sides of the Reisterstown Road immediately north of Pikesville. Where the change in the Court Road made by Richard Croxall took place the author is unable to decide.

Court Road follows the course of an Indian highway survived until recent years. In a charming and instructive article published in the first volume of this magazine and entitled "Soldiers Delight Hundred of Baltimore County," Mr. Edward Spencer makes the following statement:

"The old Soldiers Delight Hundred began at the Patapsco, not far from the present Relay House. Its eastern boundary was the Old Court Road, extending from Elk Ridge Landing(?) across country to Joppa. This road, which still follows the original bed and crosses the Reisterstown road at the Seven Mile House and the York road at Towsontown, is one of the oldest roads in the State. The Annapolis worthies used it to go to Joppa, and *it was the Indian path from the Susquehanna River to the Potomac at Piscataway.*"

To what extent the above statements are correct the author is able to answer only so far as concerns the identity of the Old Court Road and the Indian Road between Pikesville and Patapsco Falls. The records apparently show that the Old Indian Road turned northward at Pikesville through the "Garrison" land, leaving the Court Road at this point and doubling back on itself somewhat, until it again crossed Patapsco Falls many miles above the lower crossing.

It is possible, of course—indeed there may be more than one reason for supposing—that two Indian trails met on or in the vicinity of the "Garrison" tract, and that the Old Court Road from Patapsco to Gunpowder Falls represents the approximate course of one of them. This theory would not only explain the remarkable bend of the Old Indian Road to the northward, and to the northwest, but it would help to account for the situation of the old "Garrison" fort erected late in the seventeenth century on the east side of the tract called "Oulton's Garrison." Unfortunately, in the absence of all proofs, our theory must not be recommended too seriously to the consideration of the reader.

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After having been converted into a county road and called the Court Road, that section of the Old Indian or Indian road

lying between Pikesville and Woodstock seems, for a time at least, to have continued to be known on occasion by its original name. The following orders of the Baltimore County Court confirm this statement:

November Court, 1733—"Charles Wells is appointed overseer of the roads from Jones's Quarter ¹⁴ to the Iron Works ¹⁵ and the Indian Road out of said road to Gwinns Falls out of said Jones's road Gist's Mill ¹⁶ (sic) from the lower wading place of the main falls of Patapsco to the second wadeing place of Gwinns Falls, from the fording place of Davis's Run ¹⁷ to Moale's Point and from the Iron Works to William Hammond's ¹⁸ from the lower fording place of Gwinns Falls to Moales Point ¹⁹ and the ragland ²⁰ roads that leads from the intersection of said road to the said Moales Point and that the said overseer warn half of Hyde's taxables all of Buchanans, Chapmans, Hurd's and all of Lewis to work on aforesaid roads." (Balto. Co. Pro., Liber —, 1733-1734, f. 189.) These old records are seldom punctuated.

November Court, 1734—"William Peticoat is continued overseer of all the roads in Soldiers Delight hundred lying between the main fall and Gwins falls of Patapsco vizt the Rowling road from Captain Jones's qr. (quarter) the road called the Indian road from the main falls to Gwins fall the rowling

¹⁴ Captain Philip Jones owned several tracts on the outskirts of Soldiers Delight.

¹⁵ The Baltimore Iron Works situated on lower Gwins Falls near Carroll Park.

¹⁶ Probably on the upper part of Gwins or of Jones Falls.

¹⁷ Davis's Run, which empties into Dearing's Cove, about a mile above the bridge of the Annapolis road over Patapsco River.

¹⁸ Near the mouth of the main branch of Patapsco River and crossed by the Annapolis road.

¹⁹ On the Middle Branch of Patapsco River.

²⁰ A place frequently mentioned. A tract called "Batchellor's Fear" surveyed for Zachariah Maccubbin and Edward Norwood is described as lying in Baltimore County "near Ragland, between Gwins Falls and the Main Falls of Patapsco, beginning at three bounded white oaks by the side of a valley falling into a draught of the Dead Run, which is a branch of Gwins Falls."

(road) from William Hamiltons to Dogwood run ²¹ from the said Hamiltons to the said Indian road the directest way towards court from the said Intion (sic) road where it crosseth Suits Level Branch (Scut's Level Branch) to Mr. Gist's Mill." (Same Liber, f. 354.)

Same court as foregoing, same folio—"Oliver Cromwell is appointed overseer of all the roads in the upper hundred of Patapsco between the main falls and Gwins falls vizt the roaling road from the Iron Works till it intersects the Indion (sic) the roaling roade from the head of Patapsco to the Dogwood Branch the road from the widow Teales ²² to John Moles, from Moles to the lower fording place of Gwins falls from William Hamiltons to the Iron Works, the roade from the wading place of Gwins falls to the wading place of the Main Falls of Patapsco the road that leads from the Main Falls of Patapsco to Ragland roaling road, the road from the main falls of Patapsco to Moales's the road from Ragland to Gwins falls where Charles Wells did live."

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At a session of the Baltimore County Court held in June, 1738, the following order was issued:

"Christopher Gist overseer of the Garrison roads is ordered to clear the old Indian Road from the Garrison Road down by Captain John Risteaus to go by the head of the Western Glade until it intersects the waggon road to goes (sic) by George Oggs." (Court Proceedings, Liber H. W. S., No. I. A. 2, 1736-1738, f. 222.)

The above order was evidently that to which Josephus Murray took exception in a petition which he presented to the court in its November session of the same year (same, f. 311):

²¹ Dogwood Run empties into Ben's Run just above its mouth. William Hamilton lived somewhere in this part of the country. In 1735 Edmond Howard conveyed to Emmanuel Teal part of "Tanyard" "between the dwelling plantation of Edward Teal, dec., and that of William Hamilton." "Tanyard" lies in the neighborhood of Patapsco Falls and adjoins "Robins Camp," "Liverpool," and "Frederickstadt Enlarged."

²² Probably the widow of Edward Teal. See note 21.

“Josphus Murray exhibits to the court the following petition vizt to the Worshipful Justices, etc. . . . whereas some person or persons by his or their contrivance have obtained an order of the court to clear the old Indian Road through a fine meadow of your petitioner (the dreaning of which cost near twenty pounds) the aforesaid Indian Road some few years past was turned three quarters of a mile lower down the said meadow where it still continues and your petitioner hath cleared a sufficient rideing road from George Oggs to Capt. John Risteaus within a quarter of a mile of the said meadow and gates up and sufficient to pass through being done ever since March last, wherefore your petitioner with the advice and consent of his neighbours prays your worships would make void that order of June Court and order it to be cleared any other way that may not be of so much prejudice to your petitioner. These are to certify that we the subscribers are well content with Mr. Murrays turning the Indian Road, it being of little use since the court road was cleared: (signed) Cornelius Howard, William Gist, Joshua Howard, John Hawkins, Samuel Owings, George Ashman, Thomas Wells, Thomas Gist, Nathaniel Gist, William Lewis, Edmond Howard, Mathew Coulter, Lawrence, Hammond, John Wooley of Connaagee, John Dirumple, Charles Motherby, John Simkin, Charles Hissey, George Bailey, Thomas Brothers, Anthony Brayfoot, James Wells and Christopher Gist.”

The court ordered “that Joseph Cromwell and Richard Stephenson inspect the within road and as they appoint the said road the same be immediately cleared by overseers appointed in adjacent precincts.”

Although the foregoing petition was apparently granted, some of the petitioners, with others, again petitioned the court in March, 1783/9, to the end that the original order to clear the Indian Road should not be carried out. (Same liber as foregoing, f. 356.)

“Samuel Owings and several others exhibits to the court the following petition vizt whereas several of your petition-

ers did sign a petition that Mr. Josephus Murray preferred some time past to your worship setting forth that there was little or no occasion for your worships order for the clearing of a road from the road by Mr. George Oggs to that by Captain John Risteaus which is entirely useless to any person except Captain Risteau and Mr. Ogg having the county road which is within a mile or less of the road p (per) your worships first order, wherefore your petitioners humbly pray that your worships will give orders that the said road shall not be cleared it being altogether useless. (signed) Samuel Owings, Christopher Gist, Thomas Gist, Richard Pinckham, Edward Roberts, Peter Magers, John Cook, Edward Reeston, John Cockey, James Chilcoate, John Hawkins James Wells, William Lewis, Richard Jones, James Wells, Jr., Thomas Wells, John Dorumple, Jr., John Medcalf, George Bailey, Mathew Coulter, Charles Motherby, Cornelius Howard, John Simkin, William Seabrook, Joseph Cromwell, Thomas Bond and Josephus Murray." The foregoing petition was granted.

In the opinion of the author there is but one locality which, on the evidence of the records, answers the requirements of having included at one time both the lands of John Risteau and Josephus Murray and of being on the Court Road and on the "Western Glade." This place lies north of the Old Court Road and on either side of the present Garrison Road.²³ It was here that in 1738 the lands of Captain John Risteau and of Josephus Murray met.

The "Western Glade," now called Western Run or the West Branch of Jones Falls, is first referred to in the survey of "Oulton's Garrison," May 13th, 1696, in which it is called "the West Glade."²⁴ In a survey called "Simpkins Repose,"

²³ I am not sure that the local inhabitants know the road between Stevenson and the Old Court Road by this name. Under this name it appears in G. H. Hopkins' Atlas of Baltimore County, 1877. Mention of the Garrison Road will be found in a deed from John A. Lloyd et uxor to Cardiff Tagart et al., June 8th, 1853 (Towson, Liber 5, f. 381). This deed refers to that part of the Garrison Road with which we here have to deal.

²⁴ In surveys of this period streams are commonly referred to as "glades."

which lies at or just north of Pikesville, and was laid out for John Simkin (one of the signers of the foregoing petitions) August 30th, 1715, it is described as "a great glade called the Western Glade." In a survey called "Enlargement," which is situated between Mount Washington and Pimlico and was laid out for Edward Stephenson September 18th, 1704, it is called "The Western Run of Jones Falls." This stream rises about a mile north of Pikesville on what was formerly the William de Vries estate, or on that part of the land called "Counterscarpe" which was conveyed by deed of gift on November 5th, 1743, by Josephus Murray to his daughter Jemima Ashman. The deed from Murray to Ashman is described as beginning "at a bounded white oak the second tree of the land called Hurds Camp near the head of the Western Glade and runs thence south 196 perches across the head of the said Western Glade." It crosses the Old Court Road a short distance east of Pikesville, and empties into Jones Falls at Mount Washington. It is not to be confused with the Western Run of the Great Falls of Gunpowder River.

On March 18th, 1736, Benjamin Hammond and Margaret his wife, daughter and sole heir of William Talbot, deceased, conveyed to John Risteau, who married Katherine, the widow of the said Talbot (and daughter of George Ogg, Sr.) "Credentia" containing 311 acres and part of "Oldtons Garrison" containing 163 acres. In the will of William Talbot dated November 8th, 1713, the testator bequeaths to his daughter Margaret "my now dwelling plantation Oultons Garrison and a tract called Credentia joining to it and also a tract called Hurds Camp all lying on the Garrison Ridge," and provides that in case of the death of his daughter without heirs his wife Katherine is to inherit the dwelling plantation and "Credentia" and George Ogg, Jr., is to have "Hurd's Camp."

Captain John Risteau, in his will dated December 26th, 1752, bequeaths to his son George Risteau two adjacent tracts, "Benjamin's Prospect" and "George's Plains," "and all my right and interest unto the two tracts of land I now live on but my dear wife never to be disturbed thereon during her life."

The testator makes no mention by name of his part of "Oultons Garrison" and of "Credentia," which after his death are found in the possession of his son George; and it is evident that these were the "two tracts of land I now live on" which he bequeathed to that son in his will. Under the name of "Risteau's Garrison" these lands, together with a small tract of fifty acres called "Hebron," were resurveyed for George Risteau and were patented to him October 1st, 1765. "Hebron" occupies the south east corner of the resurvey and is traversed by the Old Court Road. All but a very small part of that part of "Oultons Garrison" which Captain John Risteau owned and of "Credentia" lie east of the present Garrison Road as it now runs between the Old Court Road and Stevenson Station. On G. H. Hopkins' Atlas of Baltimore County, to which we have already referred (Note 13), the line dividing the lands of J. E. Clayton, Cardiff Tagert and "Mrs. Baseman" on the one side from the lands of J. Keller, Adolphus Cooke and A. S. Abell on other represents the south three degrees and thirty minutes east 306 perches and the south 320 perches lines of "Risteau's Garrison," as well as the first line of "Litter Louna" and the first line of "Ely O'Carroll." The lands which were once Captain John Risteau's are represented on this map by the places of J. E. Clayton, Robert Rickett, Aaron H. Tucker and parts of the lands of Cardiff Tagart and of Mrs. Baseman. "Credentia" begins on the Green Spring Branch of the Northern Central Railway about half a mile east of Stevenson Station.

Josephus Murray in 1738 owned all of "Oultons Garrison," save the 163 acres already referred to, which his father, James Murray, conveyed to William Talbot in the year 1700, and a small parcell out of the southern part of the tract, which he had made over to his brother-in-law and sister, Richard and Zeporah Gist, as we have already shown.²⁵ In addition to this

²⁵ In the original deeds "Brother's Good Will" and "Addition to Brother's Good Will" are called parts of "Counterscarpe"; but they appear in reality to have embraced each a part of "Oulton's Garrison," as shown on our map.

he owned all of "Counterscarpe" surveyed for James Murray, May 10th 1700, except something less than two hundred acres out of the south east end, which he had deeded to the Gists under the name of "Brother's Good Will" and "Addition to Brother's Good Will." On February 20th, 1720, he had surveyed a tract of two hundred acres called "Murray's Delight." This land was never patented to Josephus Murray. It was resurveyed for Tobias Stansbury, January 1st, 1747, on a special warrant granted to Stansbury, he having pointed out in his petition to the Land Office that Murray had failed to take out a patent for the survey. Stansbury assigned his right to the land to George Ashman, the son-in-law of Murray, who patented it March 3rd, 1747/8 under the name of "Ashman's Delight." When the two hundred acres were resurveyed ten acres were found to be cleared but the land was otherwise unimproved. Although Josephus Murray evidently cared so little for this tract that he allowed his title to become void, he must be regarded as its possessor before 1747. "Murray's Delight" lies on the Reisterstown Turnpike about half a mile or a little more from Pikesville. On the east it adjoins the resurvey on "Counterscarpe" as laid out for Josephus Murray in 1747. Between it and the original "Counterscarpe" there appears to have been a strip of vacant land of which Murray apparently thought himself possessed, for he conveyed it by deed of gift on November 5th, 1743, to his daughter Jemima Ashman. Until "Counterscarpe" was resurveyed Murray probably believed that this tract adjoined "Murray's Delight," a delusion of a type very common in those days. These facts are important. They prove that in 1738, Josephus Murray owned, claimed or believed that he owned a continuous stretch of land between the present Garrison Road and the Reisterstown Road embracing the headwaters of the Western Run of Jones Falls. On the north west, as we shall presently observe, his lands adjoined the tract called "Security" which was taken up and owned by George Ogg, Jr. They were separated by but a narrow strip from the lands of George Ogg, the elder.

The greater part of Josephus Murray's lands lay to the west of the present Garrison Road. At no point did they more than touch the present Old Court Road.

Let us now consider the location of George Ogg's lands. In 1697, George Ogg purchased from Edward Parish 300 acres, part of the well-known tract of 2000 acres called "Parrishes Range," lying across the western part of Baltimore City and its suburbs east of Gwins Falls and on Gwins Run. He is credited with this land in a Rent Roll of Baltimore County (*Calvert Papers*, No. 583). A tract of 150 acres called "Bashan" was surveyed for him in 1706. It adjoins "Pay My Debts." I find in the *Annapolis Gazette* for September 15th, 1759, the tract called "Pay My Debts" advertised for sale and there described as lying "near Hunting Ridge on Guins Falls about seven miles from Baltimore Town and one half mile from the Conestogoe Road," which probably means that it lay on the Reisterstown Road in the neighborhood of Arlington or of Mount Hope. In March, 1709/10, George Ogg complained to the Baltimore County Court that an order passed in November, 1709, would result in clearing the "Garrison Roade to Potapscoe" through his cornfield, stating that the road had been diverted some years before with the consent of all concerned. (Court Proceedings, Liber L. S., No. B, f. 95.) He was probably then living on his part of "Parishes Range" or on "Bashan."

In 1711, George Ogg purchased from Thomas Randall two adjacent tracts, "The Rich Levell" and "Addition" or "Addition to Rich Levell." In 1715 he surveyed "Georges Beginning." "Security" was surveyed for George Ogg, Jr., in 1723. All of these tracts lie adjacent to one another on the Reisterstown Turnpike. In all they comprise nearly four hundred acres. "Security" was sold by George Ogg to Cornelius Howard in 1742. In 1745, he sold to Captain John Ristean 170 acres out of two of these tracts, "Addition to Rich Levell" and "Georges Beginning." This parcell was in 1746 conveyed by deed of gift by John Ristean to his son-in-law the

Rev. Thomas Cradock. Such was the origin of the old Cradock place, "Trentham." The whole of "The Rich Levell" was eventually included in a well-known resurvey, "Wester Ogle."

These were the lands owned by George Ogg in the year 1738. If we assume that in this year Ogg was living on the lands north of Pikesville, leaving out of our consideration both "Parishes Range" and "Bashan," then the foregoing records relating to the Old Indian Road can be explained with little or no difficulty. As we have already pointed out, the lands of Josephus Murray lay between those of Captain John Ristean and those of George Ogg and bounded on both. This fact, if otherwise unknown, might be inferred from the petition of Josephus Murray. The petitioner declares that for the accommodation of Ristean and Ogg (who were, of course, near relatives) he has cleared a riding road between their two places. The implication seems to be that this road was laid out through the petitioner's own land and that the dwelling plantations of the other parties lay on either side of his own. Moreover, the fact that the clearing of the Indian Road between the road which went by Captain Ristean's and that which went by George Ogg's was of no benefit to anyone except Ogg and Ristean, which we learn from the petition of Samuel Owings and others, implies that Ogg and Ristean were neighbors; and since the Indian Road was cleared from the Garrison Road across the plantation of Josephus Murray and the head of the Western Run of Jones Falls in order to intersect the road going by George Ogg's, we are permitted to infer that the home of George Ogg lay somewhere to the west. We are therefore justified, I believe, in concluding that the Ogg place, to which these records have reference, was situated on the four adjacent tract the location of which is shown on the accompanying map, and that the "wagon road . . . by George Ogg's" is probably the present Reisterstown Turnpike.

The phrase "from the Garrison Road down by Captain John Ristean's" presents a difficulty. As we have already observed, the lands which once belonged to Captain Ristean lie almost

wholly east of the present Garrison Road as it runs between the Old Court Road and Stevenson Station. I know of no reason for believing that the course of this road has been materially altered since 1738. This is no doubt the road "from Henry Butlers up by the Garrison to the North Run" of which Samuel Owings was appointed overseer in 1733 by an order of court which has already been quoted in this article. It was a county road for the convenience of settlers, and the question as to what relationship it bore to the trail leading from the "garrison" fort used by Captain John Oldton and his rangers when this neighborhood was a wilderness does not enter. We may, however, call attention to the fact that the site of the "garrison" lies about half a mile east of the present Garrison Road. Assuming, then, that the Garrison Road of 1738 and that section of the present road lying between Stevenson and the Court Road are substantially the same, it is difficult to understand how the Old Indian Road could have been cleared "from the Garrison Road down by Captain John Ristean's" in the direction of Josephus Murray's plantation and of the head of the Western Run of Jones Falls, if these words are taken to mean that the road was to be opened past Ristean's residence. Taking into consideration the fact that the language of these old court records is sometimes ambiguous, we are at liberty to construe the phrase "down by Captain John Ristean's" as modifying the words "Garrison Road" and intended to define the part of the Garrison Road which was meant. This theory is borne out by the description of the section of the Indian Road which the court ordered cleared as a road "from the road by Mr. George Oggs to that by Captain John Ristean's" which we have just noted in the petition of Samuel Owings and others.

Josephus Murray in his petition protesting against the opening of the Old Indian Road through his meadow, calls attention to the fact that "the aforesaid Indian Road some few years past was turned three-quarters of a mile lower down the said meadow where it still continues" and that he has "cleared a sufficient rideing road from George Oggs to Captain John Ris-

teaus within a quarter of a mile of the said meadow." The parties who sign his petition declare that they are "well content with Mr. Murray's turning the Indian Road, it being of little use since the court road was cleared." The "turning" of the Indian Road to which Josephus Murray refers was probably the extension of the road from the Long Calm to Richard Gist's into the Indian Road, which became the Court Road. The persons who join with Murray in his petition call attention to the fact that the clearing of the Court Road has rendered the Indian Road of little use. Samuel Owings in his petition points out that the "county road" which runs within a mile or less of the section of the Indian Road to be cleared renders the clearing of the latter road useless to any persons except Ogg and Ristean. Josephus Murray's allusion to the great expense at which his meadow was drained and the fact that two roads crossed the same "meadow" at a distance of three quarters of a mile, seem to indicate that the "meadow" in question occupied the valley of some stream, which was probably no other than the valley of Western Run. We know that both the Indian Road and the Court Road crossed this valley. It should be remembered, however, that somewhere in this neighborhood the Court Road was diverted by Richard Croxall from its original course (see note 13), when we attempt to determine the course of the Indian Road from that of the Court Road.

The conclusions which we would draw from the foregoing records may be summed up as follows:

In March, 1730/1, a section of an Indian highway known locally in Baltimore County as the Old Indian Road was made into a county road, and as such still exists. It lies between Gwins Falls and Patapsco Falls. The road known as the Court Road ran into and covered the Old Indian Road as far as Patapsco Falls. The Old Indian Road and the present Old Court Road between Gwins Falls and Patapsco Falls are assumably identical. The point where the Old Indian Road diverges from the Old Court Road is probably a short distance west of Pikesville, but can not be exactly determined. From this point

the Indian Road ran northeast across the road now known as the Reisterstown Road until it met the Garrison Road. Between the Reisterstown Turnpike and the Garrison Road it ran through the lands which once belonged to Josephus Murray, running parallel to the Court Road and distant from it less than a mile. Where it crossed the Western Run of Jones Falls it appears to have been distant about three quarters of a mile from the Court Road, if our theory is correct that the valley of this run was the "meadow" to which Josephus Murray refers in his petition. Attention must be paid to the fact that the Court Road in this vicinity was changed in 1756 by Richard Croxall (see Note 13), but it should be remembered that the change was made within the limits of Richard Croxall's estate, and that if the original Court Road between Pikesville and the Garrison Road had run much more than an eighth of a mile south of the present road, its course would have lain outside of the Croxall lands. It is not improbable that the turning of the Court Road made by Croxall did not affect that part of the road where it crosses Western Run.

Beyond the point where it crossed the Garrison Road, which was somewhere between the Old Court Road and Stevenson Station, the course of the Old Indian Road for many miles is lost to our knowledge. When we recover it again, it is in a place where we would scarcely have expected it to be, and, with due allowance given to the part which is unknown, has apparently made a bend through Baltimore County equal to a semi-circle.

(To be continued)

SEVEN PIONEERS OF THE COLONIAL EASTERN SHORE

ROBERT VAUGHAN, JOSEPH WICKES, THOMAS HYNSON,
JAMES RINGGOLD, AUGUSTINE HERMAN, RICHARD TILGHMAN,
AND SIMON WILMER.

PERCY G. SKIRVEN.

With the very earliest Maryland settlers came Robert Vaughan, the first of the "seven pioneers." He was made High Constable for St. George's Hundred, St. Mary's County on February 12th, 1637/8. He was a member of the "Grand Inquest" consisting of twenty-four "Freemen" of the Province sitting at St. Mary's that brought in the famous bill of attainder against Capt. William Cleyborne. Immediately after the close of the session of the "Grand Inquest" the Assembly of the Province was reconvened (March 14th, 1637/8) and on that day one Thomas Smith, who had acted as agent for Captain Cleyborne on Kent Island, was convicted of piracy and condemned to death by hanging. He was later executed by order of Gov. Leonard Calvert. Of this incident more later. "Sergeant" Robert Vaughan was a member of the above Assembly.

On the 19th of March, 1637/8 Robert Vaughan was made Commander of Palmer's Island, one of the trading posts of Captain Cleyborne, which island lies in the mouth of the Susquehanna River. There he found so little to engage his attention that he asked to be transferred to Kent Island on which Mr. Giles Brent was then Commander. That was done, and mention is made in the *Archives of Maryland* of his military title being "Lieutenant." While commander of Palmer's Island his military title was "Sergeant."

In June of 1638 Robert Vaughan was sent to seize the goods and chattels of Captain Cleyborne on Palmer's Island, and on July the 1st, 1638, the goods and chattels on Kent Island belonging to Captain Cleyborne, which had been in the care of Thomas Smith above mentioned. In a suit in 1667 to recover "Beaver Neck" on Kent Island, the land which had belonged to her father, Thomas Smith, Gertrud Anderton, wife of John Anderton, summoned Robert Vaughan to testify. The capture and execution of Thomas Smith is described in this deposition of Robert Vaughan made at a session of the Provincial Court at St. Mary's in 1667, many years after the episode. It is as follows:

"Then was taken the oath of Captain Robert Vaughan and being sworn in open Court—Saith that sometime in the year 1638, or thereabouts, being then servant to the Right Honorable the Lord Proprietary of this Province and then under the command of Leonard Calvert, Esq^r Lieutenant General of the said Province, went with the said Lieutenant General with a party of men to *reduce* the Isle of Kent under the government of his Lordship, being then in actual rebellion. The said Governor caused one Thomas Smith to be put to death (one of the inhabitants of the said Island) and that after he was executed the said Governor caused this deponant to make seizure of his estate for the use of the Lord Proprietary which was accordingly done, but within a few days after the said Governor commanded this deponant to deliver the aforesaid estate unto Jane Smyth, the relict of the said Thomas Smyth into her possession for the proper use of her young female children of the aforesaid Thomas Smyth and further this deponant sayeth not." ¹

Capt. William Cleyborne had been trading with the Indians on Kent Island several years prior to the granting of the Charter to the Calverts and, as a part of the older Colony of Virginia, Kent Island had sent representatives to the Assembly of that Colony at Jamestown. So hard was it for Cleyborne

¹ *Prov. Court Records*, Vol. F. F., p. 550.

to accept the decision of the Privy Council sitting at Whitehall, England, confirming to Lord Baltimore all the lands, including Kent Island, lying within the metes and bounds as called for by his Charter, that he set up a rebellion against the government of Lord Baltimore. It was in 1638 that Leonard Calvert set sail for the Island to "reduce" it, as Captain Vaughan expressed it, and crossing the Chesapeake with two small vessels manned by the sturdy volunteer soldiers of the Colony, it must have been a charming picture that they presented. The flag of the Calverts with its black, gold and scarlet colors and silver tinsel glistening in the bright sunshine on its very first warlike mission doubtless caused the insurrectionists on the "Isle of Kent" to regret the action they had taken long before the vessels pushed their keels up on the sandy beach. As has already been stated Capt. Robert Vaughan played an important part in the "reduction" of the island.

At the time Giles Brent was made Commander of "Our Isle of Kent in all matters of warfare by sea and land, etc," and to be "Chief Judge in all matters civil and criminal," we learn that a writ was issued to Mr. Brent to assemble the Freemen of the Island at a place and time in his discretion, to make election of one or two burgesses for the next Assembly which would meet at St. Mary's City. The election resulted in "Lieutenant" Robert Vaughan (his military title received in 1640), and Mr. Richard Thompson being sent with the proxies of the Kent Islanders to the Assembly. Mr. Brent was, on April 11th, 1643, made "Lieutenant General, Chancellor, Admiral, Chief Captain, Magistrate, and Commander, as well by sea as by land of this Province of Maryland and of the Islands."

The friendship that existed between Mr. Brent and Robert Vaughan lasted over many years, and was deepened by many services rendered by the latter during the year they were officers on the Island. It was Mistress Margaret Brent, sister of Giles Brent who demanded on the 21st of January, 1647, a vote in the Assembly "for herself and voice for that at the last Court, the 3rd of January, 1647, it was ordered that the said

Mistress Brent was to be looked upon and received as his Lordship's attorney." ²

Captain Vaughan received a warrant for 300 acres of land and on September 29th, 1658, he received a certificate of survey for "Reurden," 300 acres on the east side of Langford's Bay in Kent County. This property may have been his home in the later years of his life, and if he did live there, his nearest neighbors were Thomas Broadnox, Robert Dunn, John Gresham, Moses Stagwell, Henry Morgan, William Coursey, William Coxe, John Langford, Thomas South, and Richard Woolman.

Captain Vaughan's public services, so far as the official records show, lasted until the day of his death in 1668. He was commissioned to hold Court on Kent Island in 1642, and again in 1644. In 1647 Leonard Calvert, then Governor of the Province, "appointed Robert Vaughan to be Chief Captain and Commander of all the militia of the Isle of Kent," and in 1648 he was commissioned one of the Provincial Council. On the 12th of August, 1648, Captain Vaughan received a Commission as the Commander of the Isle of Kent. It is in part as follows:

"To our trusty and well beloved Robert Vaughan, Gentleman, whereas we have found you very faithful and well deserving of us upon the occasion and insurrection and rebellion in our said Province of Maryland begun and fomented by that notorious and ungrateful Robert Ingle and his complices against our dear brother Leonard Calvert, deceased, our late Governor of the said Province and our undoubted right and title to the government to the same wherein you have manifested to the satisfaction of us and our Colony there such Fidelity, Courage, Wisdom, Industry and Integrity, as render you capable and worthy of the trust hereby by us intended to be reposed in you. Etc., etc., etc.,

Signed by: Cecelius Calvert,
Lord Proprietary.

12 Aug. Anno Dom. 1648." ³

² *Arch. Md.*, Vol. I, p. 215.

³ *Arch. Md.*, Vol. III, p. 216.

The above commission signed by Cecelius Calvert was in force until 1650, with the exception of one month—between the 11th of November and the 11th of December, 1648. When Governor William Stone took hold of the affairs of the Province in Maryland, he appointed Captain Vaughan on the 29th of July, 1650, to be Commander of the Isle of Kent County, to grant warrants for land within the said County. He remained Commander for some years, but his right to issue land warrants was revoked by Governor Stone. In 1661, June 14th, commissions as Justices of the Peace for Kent County were issued to Captain Robert Vaughan, William Coursey, Thomas Broadnoy, Seth Forster, William Leeds, and James Ringgold, Gentlemen. This position as Justice of the Peace was a very important one, and the members of the "*quorum*" are said to have worn a wig and ermine, similar to those worn by the Justices in England. Captain Vaughan continued to serve as a Justice until his death in 1668. There is a statement in the public records of the Province,⁴ in which it is shown that Moses Stagwell was appointed Sheriff of Kent County, and was sworn in by Captain Vaughan on July 5th, 1667. Edward Burton, son-in-law of Captain Vaughan, became security for the bond of Moses Stagwell.

With Captain Vaughan had come to Kent County, one Edward Burton, mentioned above, who courted and married Mary Vaughan, daughter of Captain and Mrs. Mary Vaughan. Edward Burton and his wife lived in Kent County. Upon his death in 1672, his wife was made administratrix of his estate,⁵ and James Ringgold became her security. A short time after this, James Ringgold makes a statement, the 24th of July, 1673, to the Provincial Courts, that he had married "Mary Burton, relict of Edward Burton," and on the 12th of February, 1674, Mary Ringgold states that she is the "relict of Edward Burton, and the wife of James Ringgold." James Ringgold was the son of Col. Thomas Ringgold.

⁴ Arch. Md. Assembly, *Proceedings*, 1667.

⁵ Land Office Records. *Test. Pro.*, Vol. VI.

About 1650 three more of these pioneer Eastern Shoremen, Joseph Wickes, Thomas Hynson and Thomas Ringgold came to Kent, and took up land on the lower part of the County and they doubtless found the home of Captain and Mrs. Vaughan "a haven in the wilderness." Since Captain Vaughan was in such close favor with the Lord Proprietary it is right to suppose that he was of great assistance to those settlers, who upon their arrival in the Province found it hard to accommodate themselves to the new conditions. While the reason for their coming to Maryland is not known it is probable that these three pioneers had found that "religious toleration" under Cromwell did not suit their particular ideas, and that they were induced to leave their comfortable homes to seek refuge in Maryland where they had heard that there was "religious liberty." It will be remembered that Maryland's "religious liberty" was brought about by the desire of Lord Baltimore to establish a colony for his religious friends. To do so he was obliged to adopt the policy of "religious liberty." He realized that it was impossible to establish an exclusive Roman Catholic Colony under the Church and State of England.

It is possible that these gentlemen were "adventurers"; it is probable that they were refugees. Be that as it may, it did not lessen their interest, once they had established themselves, in the welfare of the Province, and they entered eagerly into the work of establishing Maryland traditions and Maryland homes—traditions and homes that have come down to their posterity, and of which their posterity should be very proud.

Upon the death of Captain Vaughan his widow was made administratrix of his estate, and filed her account on the 3rd of February, 1668. It is not always of interest to look over the inventory of personal effects, but to the student of the Colonial period of Maryland these inventories provide a good basis for picturing in the mind's eye the interiors of the Colonial homes.

It is interesting to learn that among Captain Vaughan's personal property was a good library, indicating a man of culture.

There was an hour glass on the mantle over the fireplace and a sun dial out on the front lawn. There was a warming pan, a bellows, a hammock, and a trundle bed. By far the most interesting item in the inventory was a crossbow, probably kept by him for its association with some of his ancestors, for there is no record of the use of a crossbow in warfare in Maryland. In addition to the crossbow his other weapons were three guns and two pistols.

The second of the "seven pioneers" was Joseph Wickes who came to the Province in 1650. It was in that year that Oliver Cromwell invaded Ireland and met with his signal military success there. In May 1650 Cromwell returned to London in triumph and was made Captain General of all the forces of the Commonwealth.

Joseph Wickes must have left England about this time as he was in Maryland on July 15th, 1650, making claim for land, under the conditions published by the Proprietary. When the authority of the "Lord High Protector" was extended to the Province of Maryland "Capt." Joseph Wickes became a member of the first Assembly called. This assembly convened at Patuxent, then Capitol of the province, shortly after Cromwell was installed "Lord Protector." The installation took place on December 16th, 1653, at Westminster Hall.

First mention of Joseph Wickes' military title is found in the Records of the above mentioned Assembly. He is there called "Captain Wickes." As has been previously mentioned Captain Wickes came to Kent Island with Colonel Thomas Hynson. We find that his claim for lands began with a warrant and that in obtaining the warrant he stated he had brought into the Province of Maryland three people in 1650.

Shortly after Captain Wickes came to the Province, he went to Kent Island, and acquired from Elizabeth Cummins a tract of 400 acres known as "Love Point," it being a part of the original 600 acres called "Point Love," which was surveyed for Edward Cummins, the deceased husband of Elizabeth Cummins. Captain Wickes had his warrant filed at St. Mary's

City, and the property was surveyed for him on the 17th of January, 1652. The yearly rent to be paid at Christmas time to Lord Baltimore was eight shillings sterling, or four bushels of corn, "to be paid at the place where the Kent Mill" then stood. This property was the first Captain Wickes owned in the province, and it was upon this property that he made his home, prior to acquiring "Wickcliffe," which became his home in later years.

When Augustine Herman, another one of these "seven pioneers" was sent by Governor Peter Stuyvesant as an Ambassador to Maryland, he spent the night of September 23rd, 1659, with Captain Wickes at his home—"Love Point," on his way to the home of Governor Fendal.⁶

Upon the records of the Land Office of Maryland, now situated at Annapolis, is written:

"Joseph Wickes entereth his rights, viz:—for transporting himself, John Mackonica and Wm. Davies, Anno Dom. 1650; John Morgan, Edward Tenant 1653; Anne Gould 1655; Mary (his wife), Joseph and Mary Hartwell, her children, Francis Brooke and Thomas Brooke (servants) Anno Dom. 1656; John Langthorne, Richard Hewson and Elizabeth Keele, Anno Dom. 1657 (in all 850 acres.)

July 17, 1658. Wrt returnable January 1st,
next, (1659)."⁷

According to a deposition made by Joseph Wickes, he was born in 1620, and was therefore at the time he made the request for land in his thirty-eighth year. Having received a certificate of survey under date of September 22nd, 1658⁷ for 850 acres at the mouth of the Chester River, he and Thomas Hynson received a "Grant"⁸ January 19th, 1659 for "Wickcliffe." This grant of land to them jointly, indicated that they had thrown together their fortunes, and had received from the

⁶ Holland Records, New York Colonial Manuscripts.

⁷ Land Office, Annapolis Warrants, Vol. Q, pp. 321-322.

⁸ Land Office, Annapolis, Emigrant List, Vol. Q, p. 66.

Land Office, then situated at St. Mary's City, a Grant in which both shared equally. Thomas Hynson, who stated that he was born in 1620, in later years accepted from Captain Wickes land in lieu of his rights in "Wickcliffe," and shortly after the grant was made Captain Wickes began the home at this old place on Eastern Neck Island that has made the Wickes's famous for hospitality.

From "Wickcliffe" the water view is magnificent. Far to the right are the western shores of the Chesapeake Bay barely discernible in the grey mist that rises from the glimmering surface. The Chester River flows to the south and east, and divides Kent County, in which is located "Wickcliffe," from Kent Island. As a typical home of that Colonial period of Maryland, extending from 1658 to 1692, "Wickcliffe" presents claims second to no other.

The inventory of the personal property of Major Wickes, made shortly after his death, in 1693, by two of his neighbors—Hans Hanson and Thomas Smyth, shows that there was on the ground floor of the house an "Outer Room," and an "Inner Room." It also showed that there were two sleeping rooms—the "Little Chamber" and the "Great Chamber." There was a hallway on this floor extended to the second floor. In the yard near the house was the "store house," an indispensable feature of every large plantation in those days. Not only articles of food, but clothes, medicines and every necessity were kept in plentiful supply. This was made necessary by reason of the uncertainty of traffic between the Province of Maryland, and the mother country—England.

Reverting to the old house, we find that each of the rooms mentioned contained "a bedstead, feather bed, curtains and vallins, a rug, a pair of blankets, a boulder, and two pillows," all of which were necessary to complete the equipment of the high post bed of the times. The "Inner Room," which seems to have been an unusually large one, used as a dining room and also as a library, had in addition to the above mentioned bed, a set of chairs described as of "Turkish work." There were

a "great" round table, a "secretary," a "standish," a cabinet, a chest of drawers, two "wainscot" chests, and one deal chest. On the wall were two mirrors, and over the windows were "hangings," evidently as costly as those found in London houses at that time. The brass andirons graced the spacious fire place, and on the mantle stood the brass candlesticks and the hour glass. On the stairway was the "old clock." On the wall hung a chart, probably in bright colors, which bore the title "A Map of Man's Mortality."

This room was a living room, as we call it nowadays, and as I have mentioned before, contained Major Wickes' library, which consisted of some thirty-eight volumes of purely religious subjects from "Ainsworth's Annotations" to "Newman's Concordance of the Bible," and included such writers as Richard Bernard, Tobias Cries, Williams Perkins, John Weems, John Owen, William Harrison, John Preston, Nicholas Bifield, Joseph Carlyle, William Greenhill, Jeremiah Burroughs, Martin Luther (his "Commentary upon the Galatians"), Anthony Burgess, Edw. Leigh, and Chris. Laud.

In addition to the above mentioned volumes were "The English Physician" by Culpepper, a "Clerk's Guide," Wilson's "Dictionary of the English Language," and a "General History of the Netherlands." "The Complete Attorney," and Boulton's "Abridgement of the Statutes" were highly prized by Major Wickes.

A family of lawyers, a profession handed down from father to son, a gift of nature, not of fortune, the Wickes have occupied prominent places in the Maryland Courts, both during the days of the Province, and those since she became a State. Major Wickes was no exception, for he filled his place on the bench of Kent County, as one of his Lordship's Justices with distinction, and there is no doubt that his "law books" mentioned above came into use very often, and that the legal questions were decided by Major Wickes after consulting the "Statutes."

For several years prior to 1674 the Court for Kent County had been held at Major Wickes' home on Eastern Neck Island,

at "Wickcliffe." In 1674 Lord Baltimore ordered that Court be held on Eastern Neck, and it was accordingly held at New Yarmouth.

On the walls of the house, in various rooms no doubt, were hung two swords, eleven guns, and powder horns, all kept in good order, ready to protect the family from any sudden attack of the Indians. There was another use for the guns, and that was the shooting of wild fowl, which in season was so abundant at "Wickcliffe." The Chesapeake Bay, and the Chester River in those days literally swarmed with canvasback duck, wild geese and swan.

Out on the lawn back of the old mansion in a long row were the "Quarters," or homes of the negro slaves. The slaves mentioned in the inventory in 1692 were "Frank," "Tony," "Obed," "Tom," "Jenny," "Becky," "Judith," "Mollie," "Hannah," "Bobby," "Butcher," and "Nanny." Two of these slaves lived on Major Wickes' Love Point farm on Kent Island. In addition to the slaves, there are mentioned in the same inventory as being his property, 23 horses and colts, 153 cattle of all kinds, 132 sheep, 93 hogs, 52 geese, and 21 turkeys.

Major Wickes was certainly a man of force and character to have built such a home, and amassed such a fortune in that new country, amid such adverse conditions.

The only evidences I have found of Major Wickes' religious affiliations are in the public records of the Provincial Assembly. He signed a paper with several others in Kent County, on the 13th of May, 1682, which was addressed to the King of England in behalf of Lord Baltimore, and in this paper the following clause appears:—"We, therefore, the subscribers professing the Gospel of Jesus Christ according to the *Liturgy* of the *Church of England* and Protestants against the doctrine and practice of the Church of Rome." This is the first record. The second is similar, and was in the form of a memorial to the King of England (William III), which begins:

"We your Majesties most loyal and dutiful subjects, the ancient (first) Protestant inhabitants of Kent County, etc., etc."

This memorial was signed by Major Joseph Wickes, Mr. William Frisby, Henry Coursey, Robert Burnam, Philemon Hemsley, Simon Wilmer, William Peeke (Paca), Josias Langham, Thomas Ringgold, Thomas Smith, Griffith Jones, John Hynson, George Sturton, Lambert Wilmer, Gerrardin Wessels, Richard Jones, and Philip Connor.

Major Joseph Wickes died in December, 1692, one year after the new Royal Governor, Sir Lionel Copley came to govern the Province. The coming of Governor Copley was the beginning of the movement to establish the Church of England in Maryland by law. By the authority of this law, which was passed by the Provincial Assembly in June, 1692, parishes were laid out and churches built. It will be seen that Major Wickes died about six months after the law was passed, and as the election of vestrymen did not occur until January 22nd, 1693, for St. Paul's Parish, which Parish included that part of Kent County in which "Wickcliffe" was situated, his name does not appear on the first list of vestrymen of that Parish.

It is probable that he took an active part in building the first church, on Church Creek, near his home in 1652, and was a supporter of this forerunner of old St. Paul's Church. This latter church was built first of timber (1692), and later (1713) of brick. Saint Paul's Church is standing today, and is a monument to the religious zeal of the colonists who were its members, and to the faithful care of their descendants.

Major Wickes was a member of the Provincial Assembly at intervals, from October 20th, 1654 till October 24th, 1683.⁹ He was a Justice of the Peace of Kent County, and was appointed Chief Justice, 18th of April, 1671.¹⁰

At the time of Major Wickes' death, his family consisted of three sons and one daughter. They were Joseph, Benjamin, Martha by his first wife, and Samuel by his second wife, who was Mrs. Ann Hynson Randall, the widow of Benjamin Randall. She was a sister of Thomas and John Hynson, and the

⁹ *Arch. Md.*, Vol. VII, pp. 6-590.

¹⁰ *Arch. Md.*, Vol. V, p. 87.

daughter of Colonel Thomas Hynson, the business partner of Major Wickes, whom she married about 1671. It is of no importance, but of interest, that the widow of Major Wickes married again, her third husband being that fine old Englishman, St. Leger Codd, who was one of the first vestrymen of Shrewsbury Parish in Kent County, and who was also a member of the Provincial Council.

Samuel Wickes, the youngest son of Major Wickes married at St. Paul's Church, January 13th, 1706, Frances Wilmer, a daughter of Simon and Rebecca Tilghman Wilmer of Chestertown. He received on the 12th of June, 1701, the date of the division of the property left by his father's will, bearing date March 26th, 1688, that portion of "Wickcliffe" to the west of a line drawn north and south, beginning west of the old dwelling house. His oldest brother, Joseph Wickes, chose the "Wickcliffe" dwelling and lands. He died soon after receiving the property, and it became the property of his three daughters, Mary Granger, Rachel Rock and Elizabeth Cumberland. Upon the death of Samuel Wickes, mentioned above, in 1729, his property was left to his five sons, Samuel, Benjamin, Simon, Joseph and Lambert, and to his three daughters, Martha, Rebecca and Ann.¹¹

The third of the "seven pioneers" was Col. Thomas Hynson. The fact that Colonel Hynson, who came to the Province of Maryland in 1651, was a partner in business with Major Joseph Wickes of "Wickcliffe" has already been mentioned, and while there are no papers in evidence to show how long this partnership lasted, it may be assumed that they continued their business arrangement until the death of Colonel Hynson, about 1673. If there was a closer tie, that of blood, it is not shown by any public statements they made. That they lived neighbors, with the greatest regard for one another is in evidence, and their public lives in the Province was of such a character as to lead one to believe that they were mental equals as well as congenial com-

¹¹ *Annapolis Wills*, Vol. xx, f. 417.

panions. In the Land Office, Annapolis,¹² is a statement made by Thomas Hynson on June 23, 1651, which recites:

"Thomas Hynson demandeth 500 acres of land for transporting (into the Province of Maryland from England) himself, his wife and John, Grace and Ann Hynson, his children; William Planes, Dunken Makalester and Elizabeth Bloomley, his three servants." A warrant was issued that same day to the Surveyor General of the Province to "lay out for Thomas Hynson on the Eastern Shore of the Chesapeake Bay over against Love Point near the land demanded by Mr. Specy or elsewhere there not formerly taken up."

From the same office a warrant¹³ was issued March 3rd, 1658 to lay out for Thomas Hynson 3100 acres of land on the Eastern Shore. The surveyor's authority was based on the statement of "Thomas Hynson of this Province, Planter, hath transported, his wife and eleven persons more into our Province." He received on Eastern Neck Island 400 acres, which he called "Market Place." This property adjoined his friend, Major Joseph Wickes. On the back of the warrant is written, "I Thomas Hynson do assign unto Capt. Wickes 400 acres of this land in exchange of 400 acres now on record. Witness my hand this 29th March 1659."

Of the 3100 acres which Thomas Hynson "demanded" 400 acres was taken up in what is now Queen Anne's County on Reed's Creek, and was called "Cumberland." It is quite probable that Thomas Hynson made his home there, for shortly after Talbot County was formed out of the old "Isle of Kent County" in 1662, Thomas Hynson's son, Thomas Hynson, Jr. was appointed sheriff of that County, April 20th, 1666.

Thomas Hynson and Joseph Wickes received a certificate of survey for 800 acres on September 22nd, 1658, which they called "Wickcliffe," which has already been mentioned. The next year, on September 23rd, 1659, Thomas Hynson received all of the balance¹⁴ of the land, due him on his "demand,"

¹² Warrants, Liber A. B. H., p. 164.

¹³ Warrants, Liber 4, p. 210.

¹⁴ Warrants, Liber 4, p. 210.

with the exception of 100 acres. It was at this time that he received that great tract of land called "Hinchingham" which contained 2200 acres of land, and which extended along the Eastern Shore of the Chesapeake Bay from Swan Creek to the lands now owned (1920) by the Tolchester Company. This was a grant of manorial size, but as Colonel Hynson took but very little interest in such matters, no record is made of it being used as a manor. This property was called "Hynson's Haven" in the certificate of survey, and no doubt the change to "Hinchingham" was one of Colonel Hynson's fancies.

Colonel Hynson's wife was named Grace, and their children were John, Thomas, Charles, Grace, who married that prominent Kent Islander, Thomas South, and Anna, who married first Benjamin Randall of Kent County, and second, Major Joseph Wickes. Upon the death of Major Wickes, as has already been stated, she married Colonel St. Leger Codd, of Shrewsbury Parish, Kent County. Colonel Hynson was a member of the Provincial Assembly held at Patuxent on the 20th of October 1654, and among the Assemblymen was his neighbor, Joseph Wickes, and friend Edward Lloyd.¹⁵ He was also in the Assembly in 1659, the year in which he received his grant for "Hinchingham." He was "High Sheriff" of Kent County in February 1655¹⁶ and at that time he was thirty-five years of age. He was a man of wide acquaintance, and his connections with his relatives in England were kept up by correspondence, some of which is on file in the public records of the Province. He died about 1668, and the two sons, Thomas and John, were granted letters of administration on his estate.¹⁷

Among the items paid out by the sons, was one to Dr. Richard Tilghman who attended him in his last illness. They paid him 4,621 lbs. of tobacco for "care and physick." Another item shows to what trouble the two sons were put in those early days, when they were obliged to take out their administration papers. The charge against the estate is for 975 pounds of

¹⁵ *Arch. Md.*, Vol. I, p. 39.

¹⁶ Hanson's *Old Kent*.

¹⁷ *Annapolis, Testamentary Proc.*, Vol. v, p. 524.

tobacco "for 16 days and three men to row boat to St. Mary's to take out letters of Administration." Still another item is "for 10,446 pounds of tobacco paid to Major Joseph Wickes as his wife's (Ann Hynson Randall) child's part of the estate." The sons distributed the property to the heirs, paid for their "brother Charles' schooling," and received a release from Philip Calvert, then Secretary of the Province, on the 24th of July, 1673.¹⁸ Thomas Hynson made "oath to the account above, he being the person who kept the accounts for himself and his brother; John Hynson also made oath that his brother Thomas Hynson had kept a true account because it was allowed by his brothers-in-law Joseph Wickes and Thomas South."

Col. Thomas Ringgold, the fourth "pioneer" and the first of the name to come to Maryland, as I have mentioned, was a close friend of the other Kent County pioneers, Major Joseph Wickes, and Col. Thomas Hynson.

Just a few miles up from Eastern Neck Island, Thomas Ringgold had surveyed for him a tract of 1200 acres lying directly on the Chesapeake Bay, to which he gave the name of "Huntingfield." This beautiful tract is now one of the show places of Kent County, and is an ideal location for a home. The Chesapeake Bay, the Patapsco, the Chester, and the Gunpowder Rivers, all lend their charm to the delightful view. The ancestral home of the Ringolds has been the scene of many delightful functions, and the assemblage has often been made up of the most distinguished of the Colonists.

It was in the early days of Kent County that Thomas Ringgold came to Maryland bringing his two sons, John and James. He received the grant for "Huntingfield" under date of July 12th, 1659, and at once entered into the civil and administrative life of the neighborhood with vigor. No name in the long list of Maryland families stands higher for honor than that of Ringgold. It is from that family that the distinguished Chief

¹⁸ Annapolis, *Testamentary Proc.*, Vol. v, p. 528.

Justice of the United States Supreme Court, Edward Douglas White, is descended.

Thomas Ringgold was born about 1612, and the records show that he came to the Province in 1651, at which time he stated that he was forty years of age, and while the exact date of his death is not now in evidence, it is clearly shown that he was living in 1672. In 1666 he was sued in the Provincial Court by his neighbor, Col. Thomas Hynson, who sought to get a title to 600 acres of "Huntingfield," to which part of "Huntingfield" an overlapping warrant had been issued in error to Colonel Hynson. The records of that Court are interesting:

"After which the board having heard and seen their allegation on both sides could not find any cause for suit, whereupon the defendant, Thomas Ringgold craves a 'non suit,' which was granted with the charges following:

	<i>Lbs.</i>
To 10 days allowance for two witnesses @	
30 pounds of tobacco	300
" Attorney's fees	60
" Non Suit	300
	<hr/> 660 "

Thus the suit was ended and Thomas Ringgold retained the property to which he held a clear title. He served at St. Mary's in 1658 as foreman of the Grand Jury of the Province, and he held other important trusted places in the Provincial Government.

In 1661 he gave to his two sons, John and James, his "Huntingfield" property, and John Ringgold who stated in a deposition in July, 1656, that he was then twenty years of age, left by his will, April 25th, 1672 to Elizabeth Cook, his daughter:

"My 300 acres called 'Huntingfield,' she to possess and enjoy the same during her natural life, and if she shall be married still to enjoy the land whilst her husband behaves himself '*sivily*,' peacably and lovingly towards my brother James Ringgold, but upon any just *orration* of offense or wrong

to my brother James Ringgold, then my brother to cause them both to depart peaceably from my land and next after them the land to come to my couzen Barbara Ringgold, (she was his brother James Ringgold's daughter, and was his niece and not couzen!) and if she dyeth without heirs then to come to my couzen (nephew) Thomas Ringgold and his heirs forever."

This is entered to show the brotherly love that existed between John and James Ringgold, and what we learn of James through both private and public records, he must have been a very devout, upright Christian gentleman, with a very lovable disposition.

James Ringgold who became by appointment Major James Ringgold, was by far the most prominent of the Ringgolds of "Huntingfield" prior to 1700. He was much interested in the affairs of his county, and was instrumental in having the Court House for Kent County located at the "port of entry town New Yarmouth." This old town, now long since abandoned and lost to sight, was laid out on James Ringgold's land, in accordance with the Act of Assembly providing for "Some necessary Ports and Towns" and confirmed by later Act of 1683.

It was built at the place where James Ringgold had prior to 1680 given the land to the Commissioners of Justice for Kent County, on which they had built the County Court House and Jail. To understand the conditions surrounding the building of the Court House at New Yarmouth, I will recite the facts which produce the singular condition of affairs that were brought about by the Proclamation of Charles Calvert, dated 6th of June 1674¹⁹ erecting Cecil County, named for his father, and which proclamation included all of the present county of Kent within its bounds. He appointed on the same day, the "Commission for Peace" for Cecil County, naming on the Commission, Thomas Howell, Nathaniel Stiles, John Vanheck, Augustine Herman, Henry Ward, John Gilbert, Abraham Wild, *Joseph Wickes, Thomas South, and James Ringgold.*

¹⁹ *Arch. Md.*, Vol. xv, f. 38.

The three last named were living in that part of Kent County that was included in the new County of Cecil, as called for by the Proclamation, and these three gentlemen immediately presented a protest to the Lord Proprietary against this confiscation of old Kent County. So vigorous was the protest, that on the 19th of June, two weeks after the issue of the first proclamation, Charles Calvert, then Governor, issued a second proclamation, which stated "upon further consideration hereof it is thought most necessary that so much as was formerly added to Kent County *doe still remaine and belong to the said County* as before notwithstanding that part of the said proclamation!"

On the strength of this change in the boundary lines by the Governor, he issued on July 2nd, 1674, a new Commission of Peace for each of the counties, naming for Cecil County, Captain Thomas Howell, Augustine Herman, Henry Ward, John Van Heck, Abraham Wild, Joseph Hopkins, William Tolson, and John Gilbert.

He named for Kent County on the same date,²⁰ *Major Joseph Wickes, Thomas South, James Ringgold, John Hynson, Henry Hozier, Arthur Wright, Tobias Wells and William Lawrence.*

On the back of the paper authorizing this new Commission of Peace for Kent County is written "I do hereby order that the place for holding your County Court be in some part of Eastern Neck and not upon the Island as formerly. (Signed) Charles Calvert."

The following year, in August 1675, James Ringgold and Samuel Tovey petitioned the Lord Proprietary to lay out a town on their lands at the head of Gray's Inn Creek and this petition was followed up by James Ringgold's generous offer to the Commissioners of Peace for Kent County of land on which to build the County Court House and jail. The official document ²¹ to the Lord Proprietary verifying the foregoing statements is as follows:

²⁰ *Arch. Md.*, Vol. xv, p. 42.

²¹ *Arch. Md.*, Vol. xv, pp. 350-352.

"Kent, July the 13, 1680.

"May it please your Lordship:

"We the Justices of this County Court having had the perusal of a letter from your Lordship directed to Major James Ringgold dated the sixth day of April last past (1680) wherein your Lordship hath signified that the Court House and Prison of this County ought to be conveyed to your Lordship for the use and benefit of this County, in compliance of which we doe humbly present unto your Lordship the copy of a conveyance drawn by the expertest Council we could procure, which if your Lordship shall think it not a sufficient conveyance we humbly desire your Lordship would be pleased to order one of your clerks to send up a conveyance which your Lordship shall approve of, which shall be willingly and readily signed and performed by

"Your Lordships most humble servants

James Ringgold
Henry Hozier
Samuel Tovey
Cornelius Comegys
William Lawrence."

"To the Commissioners of Kent County Court:

"Gentlemen:

"Yours of the 13th of July last to his Lordship hath been perused as also the draught of the conveyance inclosed which is well approved of and now returned you to be executed in due form of law.

Signed: John Llewelin,
Clerk Council."

The above mentioned "conveyance" which was given in full in the records of the Province stated that James Ringgold "for the consideration hereinafter named hath granted, etc. unto the said Lord Baltimore all that Building lately erected by his Lordship's Justices of Kent County, etc., being built only for a

Court House for the said County, together with a Prison House near adjoining being also lately erected and *also* all that lot of ground to the said Court House, belonging as the same is now laid out, etc., which said Court House, Prison and lot of land are situated in the town of New Yarmouth in the said County, etc., etc.”

Though the bounds of the County were fixed by the Proclamation of June 19th, 1674, as previously mentioned, there was still sufficient strength in the opposition party, mostly representatives from Cecil County, to cause the Provincial Council in 1682 to issue the following statement:²² “Upper House (Council) 13th May, 1682, His Lordship doth intend to add Eastern Neck to Cecil County, by which means the Arms (military) in the custody of Major Ringgold, will also be within that County and they then have no pretense to refuse payment of the moiety of the charge.” This too, in spite of the fact that the Proprietary had accepted the land and buildings in New Yarmouth, and indicated his pleasure at the then supposedly satisfactory arrangement for a County Court House for Kent County. This is an early example of Eastern Shore politics.

One incident in the early affairs of the Province gives us an insight into the conditions under which the Colonists lived. The Indians had given so much trouble by their depredations and in several places attempted assassinations that the authorities appointed places in each county where the inhabitants could go to trade with the Indians. Major Ringgold’s plantation was designated on November 13th, 1682,²³ as the place where the inhabitants of Kent County should go to trade with the Indians.

Major Ringgold continued to manifest his interest in public affairs, and served the County in some official capacity to the year of his death, in 1686. His will filed at Chestertown, and recorded in the Land Office at Annapolis²⁴ September 28th,

²² *Arch. Md.*, Vol. VII, p. 309.

²³ *Arch. Md.*, Vol. VII, p. 382.

²⁴ Annapolis Wills, Liber 4, p. 232.

1686, disposes of a large estate, both real and personal property. The "Plains," 600 acres, was left to his two sons, William and John; to Thomas and James he left "Huntingfield," his "Dwelling Plantation"; to his youngest son, Charles, he gave "Ringgold's Fortune" which lies near St. Paul's Church in Kent County.

In that portion of his will in which he leaves his son James part of his "Dwelling Plantation" he states that "James is now heir apparent of lands of Captain Robert Vaughan, late of Kent County, being the oldest son of the now only daughter of him the said Vaughan." Major James Ringgold married Mrs. Mary Vaughan Burton, the widow of Edward Burton, and the daughter of Captain Robert Vaughan.

(To be continued.)

THE LIFE OF THOMAS JOHNSON

EDWARD S. DELAPLAINE

PART SIXTH

CHAPTER IX

IN THE FIRST CONTINENTAL CONGRESS

Up to this time, Mr. Johnson's public work had been confined to the borders of his own Colony. But on the 6th of September, 1774, he took a seat in Congress and his career in the broader field of politics began. Three of the Maryland delegates—Chase, Paca, and Goldsborough—were on hand when Congress convened the day before. So was George Washington, who journeyed up from Mount Vernon in company with two of his colleagues, Edmund Pendleton and Patrick Henry. But the remaining member from Maryland, the venerable Matthew Tilghman, did not put in his appearance until a week later. Peyton Randolph, who was chosen president of Congress;

Richard Bland, and Richard Henry Lee, completed the delegation from the Old Dominion. The five delegates from Maryland and the six from Virginia blended wisdom with eloquence, prudence with courage, and conservatism with youthful fire. In Carpenters' Hall, Johnson saw about him a brilliant array of Colonial statesmen, the most powerful orators, the most distinguished leaders, men of the most commanding ability then to be found in all America. But with a long experience in the Provincial Assembly, he was well equipped to play a conspicuous rôle in the proceedings of the General Congress. His keen, analytical mind, his sound judgment and common sense, his unflinching courage and incorruptible integrity brought him immediately forward as one of the leaders of the House.

The day Johnson arrived, Congress determined upon the plan to select a committee "to state the rights of the Colonies in general, the several instances in which those rights are violated or infringed, and the means most proper to be pursued for obtaining a restoration of them." And on the next day it was decided to place on the "First," or "Great," Committee, as it was called, two delegates from each Colony. One of Maryland's representatives was Thomas Johnson, Jr. The following were the members of the committee:

Massachusetts, John Adams and Samuel Adams; Rhode Island, Samuel Ward and Stephen Hopkins; New Hampshire, John Sullivan and Nathaniel Folsom; Connecticut, Roger Sherman and Eliphalet Dyer; New York, John Jay and James Duane; New Jersey, William Livingston and John Dehart; Pennsylvania, Edward Biddle and Joseph Galloway; Delaware, Caesar Rodney and Thomas McKean; Maryland, Thomas Johnson and Robert Alexander; Virginia, Edmund Pendleton and Richard Henry Lee; South Carolina, John Rutledge and Thomas Lynch.

The appointment of Mr. Johnson on this committee gave him an opportunity to come in close contact with a score of the most eminent statesmen of the New World. With harmony so essen-

tial, they faced a task of supreme importance to America. John Adams said that during their first day's conference (September 8) the Great Committee had "a most ingenious, entertaining debate." Business on the floor of Congress was entirely suspended until the 14th of September; and the sessions of the Committee were so protracted that it was whispered in many quarters that the balance of the members were beginning to grow "jealous." But finally the Committee reached a decision and on September 22 reported the *Rights of the American Colonies*—rights based upon the laws of Nature, the principles of the English Constitution, and Charters and Compacts—and two days later the *Infringements of American Rights*. The first important duty of Congress had been performed.

The delegates were now ready to determine upon a common course of action. The first proposal was to stop all importations from the parent realm. This plan had been strongly endorsed in the Maryland Convention at Annapolis three months before; yet the Maryland delegates proceeded with caution. Although as ardently devoted to the American cause as any patriot in the Colonies, Johnson remained conservative and prudent in dealing with the soul-stirring problems which appeared before him at Philadelphia. Both he and George Washington advocated a courageous statement of American rights; but both, according to F. N. Thorpe, viewed the controversy, like John Adams, with the lawyer's eye: they did not display the impetuosity of Patrick Henry and the flaming zeal of Richard Henry Lee. Concerning the course Johnson and Washington pursued at Philadelphia, Mr. Thorpe says:¹⁹

"The Maryland delegates, Matthew Tilghman, Thomas Johnson, William Paca and Samuel Chase, were neither united nor divided on any administrative measures, but yet were unanimously desirous of formulating the American cause more clearly. Thomas Johnson, the ablest man among them, was not

¹⁹ Francis Newton Thorpe, *The Constitutional History of the United States*, Vol. I, 82-84.

ready to go further than John Adams. The Maryland delegates, however, were instructed 'to effect one general plan of conduct bearing on the commercial connection of the Colonies with the mother country.' . . . Washington, one of the Virginia members, thus early appearing in the councils of his country, was not committed to radical measures, for as yet he was confident that harmony would ultimately prevail and he did not share the strong opinions of Henry, John Rutledge and Samuel Adams. Like John Adams and Thomas Johnson, he took a legal rather than an economic view of public affairs."

The *non-importation* agreement was assented to rather readily and on September 27 it was unanimously resolved, "That there be no importation, from and after December 1, 1774, into British America from Great Britain or Ireland, of any goods, or from any other place of any goods as shall have been exported from Great Britain or Ireland; and that no such goods, wares or merchandise imported after December 1 be used or purchased."

But *non-exportation* brought forth considerable opposition. All the delegates realized that this plan would be distasteful to Great Britain, but the Southern delegates maintained that their Colonies would thereby be injured more seriously than the others. North Carolina exported pitch, tar and turpentine; South Carolina large quantities of rice and indigo; and Virginia tobacco. Unless these products could be shipped to the foreign markets, the Southern statesmen insisted that their Colonies would suffer disastrously. Samuel Chase, coming from a "tobacco colony," gravely predicted that non-exportation would send the entire country into bankruptcy. But all the delegates realized that harmony should prevail; and when South Carolina acceded after securing an exception of rice, Virginia withdrew her opposition, Maryland supported the measure and North Carolina rapidly fell in line. Thereupon, on September 30, it was resolved "That from and after September 10, 1775, the exportation of all merchandise and every commodity to Great Britain, Ireland and the West Indies,

ought to cease, unless the grievances of America are redressed before that time."

Then came Johnson's appointment on a committee to devise a plan to make the resolutions effective. It was agreed in the non-exportation resolution that the Annapolis attorney, together with Thomas Cushing (Massachusetts), Isaac Low (New York), Thomas Mifflin (Pennsylvania) and Richard H. Lee (Virginia), should constitute a committee "to bring in a plan for carrying into effect the non-importation, non-consumption, and non-exportation resolved on." Recommendations were made by this committee for an *American Association*,—a course which Mr. Johnson had warmly espoused in the first Maryland Convention.

Mr. Johnson, it seems, was conspicuous in the debates on the severance of commercial relations with the mother country. This fact can be inferred from the statement made by John Adams on October 10, 1774, that Johnson of Maryland possessed "an extensive knowledge of trade as well as law." Adams' opinion of Johnson is contained in the following estimate of the more prominent members of the first Congress:

"The deliberations of the Congress are spun out to an immeasurable length. There is so much wit, sense, learning, acuteness, subtlety, eloquence, &c. among fifty gentlemen, each of whom has been habituated to lead and guide in his own Province, that an immensity of time is spent unnecessarily. Johnson of Maryland has a clear and a cool head, an extensive knowledge of trade as well as law. He is a deliberating man, but not a shining orator; his passions and imagination don't appear enough for an orator; his reason and penetration appear, but not his rhetoric. Galloway, Duane, and Johnson are sensible and learned, but cold speakers. Lee, Henry, and Hooper, are the orators; Paca is a deliberator too; Chase speaks warmly; Mifflin is a sprightly and spirited speaker; John Rutledge don't exceed in learning or oratory, though he is a rapid speaker; young Edward Rutledge is young and zealous, a little unsteady and injudicious, but very unnatural and affected as a speaker;

Dyer and Sherman speak often and long, but very heavily and clumsily.”²⁰

The observation of Mr. Adams that Delegate Johnson was “not a shining orator,” in comparison with Patrick Henry and Lee, recalls the contrast Thomas Jefferson made fifty years later between the delegates from Maryland and the Virginia representatives in the Continental Congress. When Daniel Webster visited Jefferson at Monticello toward the close of the year 1824, the aged Virginian told that distinguished orator from New England that Patrick Henry and Lee “opened the general subject” in the Continental Congress with such gripping eloquence that Samuel Chase and William Paca, delegates from Maryland, shook their heads and said: “We shall not be wanted here. Those gentlemen from Virginia will be able to do everything without us.” But, Jefferson explained, neither Henry nor Lee was a man of business, and, having made strong and eloquent general speeches, they had done all they could.²¹ A slightly different account says that after Henry and Lee had made their maiden speeches in Congress, Mr. Chase said to one of his colleagues from Maryland: “We might as well go home. We are not able to legislate with these men.” But later, during the debates on American commerce, Chase declared: “After all, I find these are but men, and, in the mere matters of business, very common men.”

Manifestly, “reason and penetration” at this time were as much in demand as “passions and imagination.” At least, when Congress determined to make a plea to the King for reconciliation, the deliberating man, with the “clear and cool head,” from Maryland, was again called upon to render assistance in the preparation of the paper. It was on the first day of October, 1774, when Congress unanimously resolved, “That a loyal address to his majesty be prepared, dutifully requesting the royal attention to the grievances that alarm and distress his majesty’s faithful subjects in North-America, and entreating

²⁰ *The Works of John Adams*, Vol. II, 395-6.

²¹ George T. Curtis, *Life of Daniel Webster*, Vol. I, 588.

his majesty's gracious interposition for the removal of such grievances; thereby to restore between Great Britain and the Colonies that harmony so necessary to the happiness of the British Empire, and so ardently desired by all America." Whereupon Congress placed the burden of the work upon Richard Henry Lee and Patrick Henry of Virginia, John Adams of Massachusetts Bay, John Rutledge of South Carolina, and Thomas Johnson, Jr., of Maryland. For several weeks these five American statesmen devoted profound thought to the preparation of the document, which they desired to be respectful to the Crown and at the same time clear and emphatic. John Adams says that on the night of October 11 after dining with Caesar Rodney, Samuel Chase, William Paca, Thomas Johnson, and others, at the home of Mr. McKean, he went to Patrick Henry's "lodgings," to discuss the petition to the King. When Congress selected the committee, ability had been recognized, but geographical distribution had been sadly overlooked. Adams was the only Northern man on it. Lee, Henry, Rutledge, and Johnson came from the South. The Central Colonies — the most backward in general sentiment — were not represented. The report from the committee did not prove acceptable to the Middle Colonies; it was apparent that a mistake had been made. Accordingly, John Dickinson, of Pennsylvania, who had entered Congress a few days before, was added to the committee. On October 24 a second draft was reported, and two days later the *Petition of Congress to the King's Most Excellent Majesty* was signed by the delegates and prepared for transmission to Europe. Included among the signatures were those of *Mat. Tilghman, Th^s Johnson Jun^r., Wm. Paca, and Samuel Chase*. Like the Great Committee's report of American Rights and Infringements, the Address to King George III was a masterly presentation of the American cause, which "when laid upon the table of the House of Lords, drew forth the splendid encomium of Chatham."

The documents drafted by the members of the first Congress are state papers of great historical value. They will ever be

regarded as among the ablest specimens of practical talent and wisdom in American politics. And while the Colonies were represented at this momentous session by statesmen of the highest order, none, according to the comparative estimates of the statesmen who served in it, had a keener vision or a firmer grasp of affairs than Johnson. In a body of more than fifty men representing over 2,000,000 people, Johnson had the distinction, enjoyed by only one other delegate (Richard Henry Lee), of serving on all three of the following committees of supreme importance: (1) the committee "to state the rights," or the Great Committee; (2) the committee to devise a plan to carry non-importation and non-exportation into effect; and (3) the committee to frame the Petition to the King. Very succinctly one authority ²² thus characterizes the leading statesmen in the first Congress:

"New England presented, in John Sullivan, vigor; in Roger Sherman, sterling sense and integrity; in Thomas Cushing, commercial knowledge; in John Adams, large capacity for public affairs; in Samuel Adams, a great character, with influence and power to organize. The Middle Colonies presented, in Philip Livingston, the merchant prince of enterprise and liberality; in John Jay, rare public virtue, juridical learning, and classic taste; in William Livingston, progressive ideas tempered by conservatism; in John Dickinson, 'The Immortal Farmer,' erudition and literary ability; in Caesar Rodney and Thomas McKean, working power; in James Duane, timid Whiggism, halting, but keeping true to the cause; in Joseph Galloway, downright Toryism, seeking control, and at length going to the enemy. The Southern Colonies presented, in Thomas Johnson, the grasp of a statesman; in Samuel Chase, activity and boldness; in the Rutledges, wealth and accomplishment; in Christopher Gadsden, the genuine American; and in the Virginia delegation, an illustrious group,—in Richard Bland, wisdom; in Edmund Pendleton, practical talent;

²² Frothingham, *The Rise of the Republic of the United States*, Chapter IX.

in Peyton Randolph, experience in legislation; in Richard Henry Lee, statesmanship in union with high culture; in Patrick Henry, genius and eloquence; in Washington, justice and patriotism. 'If,' said Patrick Henry, 'you speak of solid information and sound judgment, Washington unquestionably is the greatest man of them all.' "

John Quincy Adams and Charles Francis Adams, in editing the works of John Adams,²³ refer particularly to Thomas Johnson, along with John Dickinson, Caesar Rodney, and several others of their calibre as having "sincerity of purpose and cautious judgment as well as practical capacity, which would not have discredited the most experienced statesmen of their day."

Congress having adjourned on October 26, 1774, Mr. Johnson returned to his home in Annapolis; and on November 9th was placed on a Committee of Correspondence for Anne Arundel county and authorized to attend the Second Provincial Convention. Assembling on the 21st of November, this body approved unanimously the proceedings of Congress, resolved that every person in Maryland ought strictly to observe the Articles of Association, and selected Tilghman, Johnson, Chase and Paca, Charles Carroll of Carrollton, Charles Carroll barrister and John Hall, on a Provincial Committee of Correspondence.

The winter, which was now setting in, saw Maryland preparing with great haste for hostilities which seemed almost inevitable.

CHAPTER X

IN THE SECOND CONTINENTAL CONGRESS. NOMINATES WASHINGTON COMMANDER-IN-CHIEF

Everywhere the Colonists awaited with bated breath the next move from abroad. Frequently holding meetings, they charged committees of their own selection to keep constant vigil for

²³ *The Life of John Adams*, Vol. I, 217-8.

developments. For example, in the dead of winter (on January 16, 1775) a mass meeting was held at Annapolis, at which Johnson was placed on a Committee of Observation for Anne Arundel county. Parliament, indignant and determined to retaliate for the interdiction of commerce, ordered General Gage to reduce the Colonists by force. The stirring antebellum days Ridpath describes in the following words which ring with martial music: "There was no longer any hope of a peaceable adjustment. The mighty arm of Great Britain was stretched out to smite and crush the sons of the Pilgrims. The Colonists were few and feeble; but they were men of iron wills who had made up their minds to die for Liberty. It was now the early spring of 1775, and the day of battle was at hand." The Maryland Convention reassembled on April 24th and on the 28th received the first word of bloodshed. The Maryland leaders of the patriot cause now had a new text from which to enthuse the people. As the pall of Lexington spread over the land, the people prepared more eagerly for defense. No event thus far had so strongly cemented the bonds of devotion to the American cause. The first volley of the Revolution had fired the whole country.

The second session of Congress was approaching, and the Maryland Convention proceeded to the choice of seven representatives. The five patriot leaders who had served so ably in the first Congress—Tilghman, Johnson, Paca, Chase, and Alexander—were authorized to return to the second. To the delegation were added John Hall and Thomas Stone. Any three or more were authorized to join with the sister Colonies in any measures deemed necessary for the defense of the American Colonies.

Mr. Johnson appeared in the State House at Philadelphia on Wednesday, May 10th, 1775, when the second Continental Congress convened. With him from Maryland were Delegates Samuel Chase, William Paca, John Hall and Matthew Tilghman. A few days later Mr. Goldsborough and Mr. Stone arrived. The Maryland delegation was now complete.

On the 2d of June a message arrived from Massachusetts describing "butcheries and devastations" by the royal soldiers and asking advice concerning the establishment of a Civil Government. It was then that John Adams delivered his speech urging the people in each Colony to assume the functions of Government. "The pride of Britain, flushed with late triumphs and conquests, their infinite contempt of all the power of America, with an insolent, arbitrary Scotch faction, with a Bute and Mansfield at their head for a Ministry," he said, would surely force the Americans to call forth every energy and resource of the country. He advocated a Confederacy, like that of Greece, declaring "No man would think of consolidating this vast Continent under one National Government!" Furthermore he advised that American emissaries should be sent to Europe to seek aid at the Courts of France and Spain. On the following day (June 3, 1775), Congress resolved itself into a Committee of the Whole "to take into further consideration the state of America." After discussion, it was decided that a committee of five should recommend the proper advice that ought to be given to the Convention of Massachusetts Bay. Johnson was one of the members chosen by ballot to frame this important report. The members of the committee were: John Jay, of New York; James Wilson, of Pennsylvania; Thomas Johnson, Jr., of Maryland; Richard Henry Lee, of Virginia; and John Rutledge, of South Carolina. These five able leaders, after conferring with the delegates from Massachusetts, drafted a set of recommendations which were read to the House on the 7th of June. Two days later it was resolved, in substance, that Congress should advise the Convention of Massachusetts that the offices of governor and lieutenant-governor should be considered vacant and that the people should take possession of the Government until the royal officers acted in accordance with the ancient charter.

On the 3d of June, Johnson was also chosen to take part in framing a final appeal for reconciliation to the Crown. Two of his colleagues on this committee — John Rutledge and John

Dickinson—had served with him in drafting a similar paper in 1774. The two new members were John Jay and Benjamin Franklin. Thus came Johnson's first opportunity to come in close contact officially with "Poor Richard." The chosen five were authorized to prepare a "humble and dutiful" petition to the King, with a view—forlorn though it may have been—of opening negotiations for peace. So, during the month of June, the members of the committee gave careful thought to the petition.

But, in the meantime, the legislators at Philadelphia did not rest supine. While they earnestly hoped for peace, they considered liberty more important, and immediately took steps for defense. They determined to call upon the Committees of Pennsylvania, New Jersey, Maryland, and Delaware to send to Philadelphia without delay sulphur and saltpeter for gunpowder. Johnson and Dr. Franklin were again chosen together on June 10 "to devise ways and means to introduce the manufacture of salt petre in these Colonies," their associates being Robert Treat Paine, of Massachusetts; Philip Schuyler, of New York; and Richard Henry Lee. They also realized that no time was to be lost in sending off riflemen to join the camp at Boston, and provision was made on the 14th of June to organize troops immediately to serve for a period of one year.

But the Commander-in-Chief of the Continental forces had not yet been selected. Many names had been mentioned and it seemed inevitable that serious difficulty would be met before a choice could be made that would be satisfactory to all. To many of the members, it appeared most appropriate that the Army of New England should be commanded by a Northern general; to place it under the command of a Southerner, they argued, would be "an experiment of delicacy and hazard." On the other hand, the South—particularly Virginia—was very proud of its heritage and from an early day exhibited a marked suspicion, if not a jealousy, of the motives of the New England Colonies.

George Washington was then attending the sessions of Con-

gress in uniform—a fact which has led some writers to believe that he was modestly announcing his candidacy for some military office in the Continental Army. Although virile and courageous, and a good soldier, Col. Washington was opposed for Commander-in-Chief by many of the delegates for the supreme command. Many of the New England delegates, of course, were openly against him. The Adamses seemed to be favorable to his appointment, but other members of the Massachusetts delegation held tenaciously to the view that a Northern man should be chosen. Then, too, some of the delegates from the South were not so “strong” for Colonel Washington. Indeed, some of the members of the Virginia delegation were “very cool” toward his appointment; while at least one was “very clear and full against it.” It is safe to say, however, that “Dick” Lee and “Tom” Johnson were, from the very beginning, among the warmest supporters of their intimate friend from Mount Vernon. All three having been born in the same year along the Potomac, their friendship had grown stronger with each advancing year; and Lee and Johnson were in a position to appreciate from close contact the wonderful qualities of Washington as a man and as a soldier.

Finally, in an effort to test the sentiment of Congress, John Adams offered a motion to adopt the forces then besieging the British troops in Boston as the Continental Army, and in support of that motion casually remarked that it wouldn't be difficult to secure a Commander-in-Chief with the necessary qualifications, for such a man, he felt sure, could be found on the floor of Congress. The allusions became so pointed that Col. Washington, who was occupying a seat near the door, darted with characteristic modesty into the library. Adams' remarks provoked many expressions of open hostility to Washington. Thomas Cushing, of Massachusetts, avowed opposition to him, and warned that if a man from below the Potomac were picked for the position of Commander-in-Chief, the soldiers, and, indeed, the people of New England generally, would be greatly discontented. Mr. Paine expressed a strong preference for

General Artemus Ward, an old college chum, who was already then in command of all the New England forces. Among others who declared that the selection of George Washington would be "highly inexpedient" was Roger Sherman, of Connecticut. Mr. Pendleton explained that to place his colleague at the head of the Army of the Revolution would be an "unwise course." The general trend of the argument was that the Continental forces were composed entirely of New England men, that they already had a General of their own, that he, General Ward, was very satisfactory, and that the American riflemen had proved themselves able to imprison the British—this was all that could be expected of them at this time.

George Washington's friends, observing the hostile sentiment, postponed final decision of the question. Overpowered for the time by the sense of responsibility, Washington is said to have declared to Patrick Henry: "I fear that this day will mark the down-fall of my reputation!" But his friends remained staunch for him and they made strenuous efforts out of doors to swing the delegations in line.

According to James Johnson, of Baltimore, one of Governor Johnson's nephews, who claimed that he heard the history of the nomination repeatedly from his uncle's lips,²⁴ Delegate Lee told Delegate Johnson that while he was in favor of George Washington, he preferred that the nomination be made by a member from some other Colony, as the delegates from Virginia felt "a delicacy" about nominating their own colleague Commander-in-Chief. Appreciating this position, Johnson met John Adams the morning of the nomination on the steps of the State House and after explaining that Mr. Lee had refused to nominate Washington asked the representative from Massachusetts if he would agree to make the nomination. "Mr. Adams," according to the story, "made no reply, turned on his heel, and left him."

The story of these conversations with Richard Henry Lee and John Adams evidently is not without foundation, for up-

²⁴ *Vide* Scharf, *History of Western Maryland*, Vol. I, 380, 390.

wards of a half-century later Mr. Adams remembered that the delegates from Virginia had, from "delicacy," declined to place Washington's name before the House. In a letter written February 24, 1821, to Richard Henry Lee, grandson of the Richard Henry Lee who introduced the resolution in Congress to declare the United Colonies free and independent, Mr. Adams gave this explanation of why Thomas Johnson, of Maryland, made the nominating speech: "As such motions were generally concerted beforehand, I presume Mr. Johnson was designated to nominate a General, because the gentlemen from Virginia declined, from delicacy, the nomination of their own colleague. . . . It ought to be eternally remembered that the Eastern members were interdicted from taking the lead in any great measures, because they lay under an odium and a great weight of unpopularity. Because they had been suspected from the beginning of having independence in contemplation, they were restrained from the appearance of promoting any great measures by their own discretion, as well as by the general sense of Congress."

In a letter to Colonel Pickering, dated August 6, 1822, in which he told of his journey with Samuel Adams, Cushing, and Paine to Philadelphia in 1775, John Adams presented the following additional facts in this connection: "They were met at Frankfort by Dr. Rush, Mr. Mifflin, Mr. Bayard, and others, who desired a conference, and particularly cautioned not to lisp the word 'Independence.' They added, you must not come forward with any bold measures; you must not pretend to take the lead; you know Virginia is the most populous State in the Union; they are very proud of their ancient dominion, as they call it; they think they have the right to lead, and the Southern States and Middle States are too much disposed to yield it to them. This was plain dealing, Mr. Pickering; and I must confess that there appeared so much wisdom and good sense in it, that it made a deep impression on my mind, and it had an equal effect on all my colleagues. This conversation, and the principles and facts and motives suggested in it, have given a

color, complexion, and character to the whole policy of the United States from that day to this. Without it, Mr. Washington would never have commanded our armies, nor Mr. Jefferson have been the author of the Declaration of Independence, nor Mr. Richard Henry Lee the mover of it, nor Mr. Chase the mover of foreign relations. If I have ever had cause to repent of any part of this policy, that repentance ever has been and ever will be unavailing. I had forgot to say, nor Mr. Johnson ever have been the nominator of Washington for General."

From these statements written nearly fifty years after the Declaration of Independence, it appears that Adams considered it advisable, on the score of policy, that the nomination should proceed from a Southern delegate. And thus the duty fell upon Johnson. The opportunity for this distinguished service came on Thursday, June 15th, 1775, when after some discussion the following motion was adopted:

"*Resolved*, That a General be appointed to command all the Continental forces, raised, or to be raised, for the defence of American liberty.

"That five hundred dollars, per month, be allowed for his pay and expenses."

After the passage of this resolution, Johnson arose; and upon being recognized by John Hancock, who had been chosen presiding officer when Randolph left for Virginia, delivered a brief address in which he placed the name of his friend, George Washington, in nomination for General of "all the Continental forces." It is true, Col. Washington and Mr. Johnson had been personally intimate for a great many years and had engaged in business enterprises together; but it was not friendship alone which induced the nomination. It is problematical whether Washington's nearest friends at this time foresaw the full extent of his greatness. Indeed, Washington openly declared that he doubted his ability to fulfill the arduous duties of Commander-in-Chief. General Bradley T. Johnson says:

“Colonel Washington himself deprecated Johnson’s action. He was of opinion that Andrew Lewis, the hero of Point Pleasant, was better qualified for the place.” But Mr. Johnson felt that his friend from Mount Vernon had given ample proof of his generalship in actual warfare, and ignoring Washington’s diffidence, moved his appointment with genuine zeal and enthusiasm, and so successfully was his work performed that when the vote was taken and the ballots counted, it was found that Washington was elected unanimously! In moving Washington’s appointment, at a time when less courageous souls hesitated from embarrassment, Thomas Johnson won an immortal distinction. Pointing to the importance of the rôle Mr. Johnson had thus enacted, Hampton L. Carson says: ²⁵

“To-day it matters not from what State a man may come, but then, narrow, local and contracted views predominated. Remember that this was but two months after the affair at Lexington, and more than a year before the Declaration of Independence. Reflect on the significance of this act, by which a Maryland man, recognizing the commonness of the danger and the essential unity of the cause, threw aside his provincial and colonial prejudices, and boldly faced the responsibility of naming, in the presence of disunited delegates from thirteen colonies, a Virginian, to command at Cambridge, an army which henceforth was to be known as the Continental Army, subject to the regulations and control of the Continental Congress, freed from purely local restraints, and thereby forced to the front the ideas of identity of grievances and unity of action, transmuting the loneliness of Massachusetts in matters once local into a common partnership interest in all questions affecting the general welfare, and placing in the van a man from a far distant colony whose rank would be superior to that of Ward, Thomas and Putnam even on the heights of Bunker Hill. It was a bold conception and national in its character. It is

²⁵ *Maryland’s Contribution to Federalism*, Report, Third Annual Meeting (1898), Maryland State Bar Association.

true that the suggestion of this nomination had come from John Adams, supported by Samuel Adams, and Joseph Warren, who three days later became the first great martyr in the American cause, had written a letter urging the appointment, but Pendleton, of Virginia, Washington's personal friend, had disclaimed any wish that the Massachusetts commanders should be superseded. It detracts nothing from the honor due to Maryland in thus distinctly adopting a national idea, to suggest that Massachusetts was under the pressure of an invading army, and her forces, as well as those of her New England allies, were plainly unequal to the task of resisting alone for any length of time the power of the Crown. The nomination was unanimously approved with a liberality which reflects credit upon all who participated, but the distinction which belongs to the actor, the moving spirit in the cause, is clearly Maryland's."

When the delegates assembled on the following day (Friday, June 16th), the Chair formally notified Washington of his appointment as Commander-in-Chief and expressed the earnest hope that he would serve. Washington then arose and, with great dignity and feeling, replied:

"*Mr. President*, Though I am truly sensible of the high honor done me, in this appointment, yet I feel great distress, from a consciousness that my abilities and military experience may not be equal to the extensive and important trust. However, as the Congress desire it, I will enter upon the momentous duty, and exert every power I possess in the service, and for the support of the glorious cause. I beg they will accept my most cordial thanks for this distinguished testimony of their approbation. But lest some unlucky event should happen, unfavourable to my reputation, I beg it may be remembered by every gentleman in the room, that I, this day, declare with the utmost sincerity, I do not think myself equal to the command I am honored with. As to pay, Sir, I beg leave to assure the Congress, that as no pecuniary consideration could have tempted

me to accept this arduous employment, at the expense of my domestic ease and happiness, I do not wish to make any profit from it. I will keep an exact account of my expenses. Those, I doubt not, they will discharge; and that is all I desire."

General Washington was commissioned the next day (Saturday, June 17th), and after bidding farewell to his friends set out for Massachusetts.

The members of Congress now proceeded to take under consideration the selection of Major-Generals. Among those who hovered about the State House in quest of high military honor was Charles Lee. Born in England in 1731, he saw service in Braddock's ill-fated expedition against Fort Duquesne, in the assault on Ticonderoga, in the attack against the French fort at Niagara, and in the conquest of Canada. On his return to England he was promoted to lieutenant-colonel and rendered conspicuous service in Portugal, where he aided in repelling the Spanish invasion. He expected promotion on his return home; but, instead, he was put on half pay. Greatly rankled, he offered his services to the King of Poland; but the hostilities he looked for did not develop and he journeyed to Turkey. Some time later he returned to London and again sought promotion; but, disappointed once more, he returned in disgust to Poland, where he received the commission of major-general. He served in Russia against the Turks, and afterwards wandered through France, Italy, Germany, and Switzerland. Having bitterly denounced the British Government, Lee could not hope for any favors in England and in 1773 he sailed for America. Feeling that he might have a good chance of being chosen Commander-in-Chief of the American Army, he bought an estate in Virginia and espoused the cause of the Colonies with characteristic enthusiasm. It was a distinct disappointment to him when he failed to secure the highest command, but he now sought with great eagerness the post of first Major-General.

James Johnson declared that while he never heard his uncle boast of the honor of having nominated George Washington,

there was one peculiar merit he always claimed—that of preventing Charles Lee from being chosen by Congress second in command. Says he: “When he (General Charles Lee) was nominated Mr. Johnson, in a speech of some length, portrayed his character as a *disappointed foreigner*, and not to be trusted. When he sat down the whole delegation from New York arose in a body, and said that every word the gentleman from Maryland had said was true.” Artemus Ward, of Massachusetts, was thereupon chosen to head the list of Major-Generals. Lee, by nature vain and jealous, was enraged at this selection and called General Ward “a fat, old church warden” and “a joke as a warrior.”

In order to appease Lee, Congress appointed him second Major-General and directed John Adams, Patrick Henry, and Thomas Lynch to find out whether he would accept this command. After an interview with Lee, they reported that he wanted to serve the American cause, and that he appreciated the honor conferred upon him, but he desired before entering upon the service to confer with a committee consisting of one delegate from each of the Colonies “to whom he desired to explain some particulars respecting his private fortune.” The Congress acceded to his request, and Mr. Johnson was chosen to represent Maryland. The entire personnel was as follows:

Massachusetts, Samuel Adams; New Hampshire, John Sullivan; Rhode Island, Stephen Hopkins; Connecticut, Eliphalet Dyer; New York, Philip Livingston; Pennsylvania, George Ross; New Jersey, William Livingston; Maryland, Thomas Johnson, Jr.; Delaware, Caesar Rodney; Virginia, Patrick Henry; North Carolina, Richard Caswell; South Carolina, Thomas Lynch.

General Lee gave to the committee an estimate of the estate which he risked by entering the service. His property in England, he claimed, yielded him an income of some six or seven thousand dollars per annum. He told the delegates that if Congress would agree to indemnify him for any loss of property he might sustain by reason of his service, he would accept the

command. The committee reported to the House the result of their interview, and Congress decided to protect Lee from any loss he might sustain. General Lee then hurried to Cambridge. On the recommendation of General Washington, Horace Gates was appointed Adjutant-General with the rank of Brigadier. Philip Schnyler was chosen third Major-General, and Israel Putnam fourth. It turned out that General Ward resigned his command after the British evacuated Boston, and General Lee became senior Major-General, second only in command to General Washington. After the repulse of the attack on Charleston, Lee returned North in high popular favor, and after being captured laid before the British a scheme to crush the Revolution within sixty days. Lee's treason was not discovered among the documents of the British War Office until about seventy years after his death. After betraying his country, he had the brazen effrontery to return to the American service. At the battle of Monmouth, he deliberately planned the slaughter of his own soldiers, and was tried by court-martial for disobedience of orders, misbehavior before the enemy in making an unnecessary retreat, and disrespect to the Commander-in-Chief. Found guilty on all three charges, he was sentenced to be suspended from the army for one year. After trying to supplant Washington in the highest command and after making many bitter attacks upon Congress, he was finally expelled from the army. He died in disgrace in a tavern in Philadelphia. Incidentally, Congress paid General Lee \$30,000, when his property had been confiscated in England. If it is true that Delegate Johnson predicted on the floor of Congress, as his nephew alleges, that Charles Lee was "not to be trusted," the Maryland statesman saw into the future with prophetic vision. For this impudent British officer became the arch traitor of the Revolution, more despicable even than Benedict Arnold.

On the 23d of June, 1775, Congress decided to adopt a Declaration to be published by General Washington at his headquarters in New England. The work of drafting this document was referred to a committee, upon which Tom John-

son and Ben Franklin once more served together. Their associates were John Jay, William Livingston, and John Rutledge. The committee worked with great haste, for it reported the very next day. This draft met with objection, and finally it was referred back to the committee, to which had been added John Dickinson, of Pennsylvania, and Thomas Jefferson, of Virginia. Then came the first association of Johnson and Jefferson on one of the Congressional committees. One of the chief objections to the first draft was that it was too harsh. Mr. Jefferson re-touched it, and after being reported in its "softened" condition was adopted by the House.

With provisions made for the military establishment, and the Commander-in-Chief and the Major-Generals selected, Congress was now ready to hear a report from the committee chosen "to draught a Petition to the King." For a month Dr. Franklin, Jay, Johnson, Dickinson, and Rutledge had been devoting careful thought to this document, and when the "dutiful and humble" Petition was presented it was received with enthusiastic approval. On the 8th of July it was signed by the representatives of the various Colonies. The Maryland delegates who had signed the Petition of 1774, together with Mr. Stone, subscribed their names. In Ministry and Parliament, the position of Maryland was no longer in doubt.

Thomas Johnson's work at Philadelphia, at first chiefly literary and legal, was now about to become more practical. His ability was soon recognized in the realm of finance. On the 19th of July, he was chosen, with Cushing of Massachusetts and Deane of Connecticut, "to estimate the expenses incurred by the votes and resolves of this Congress." And when, shortly before adjournment, it was deemed advisable to select a recess committee of one member from each of the "Original Thirteen," to make an exhaustive search for lead ore and to find out the best way to have it smelted and refined, Mr. Johnson was chosen to head the campaign in Maryland. This was the complete committee: John Adams (Massachusetts); Stephen Hopkins (Rhode Island); John Langdon (New Hampshire);

Silas Deane (Connecticut); George Clinton (New York); Stephen Crane (New Jersey); Benjamin Franklin (Pennsylvania); Caesar Rodney (Delaware); Thomas Johnson (Maryland); Patrick Henry (Virginia); Joseph Hewes (North Carolina); Christopher Gadsden (South Carolina); and Lyman Hall (Georgia). Mr. Johnson, in Maryland, and his associates in their respective Colonies, were also directed to investigate the most economical method of making salt. After the selection of the recess committee, Congress adjourned on the 1st of August, 1775.

In referring to the work of the Maryland delegates in Congress, Mr. Scharf makes the following allusion to Johnson's committee assignments: ²⁶

"From the beginning the Maryland representatives took a leading and most active part in the proceedings of the body, particularly Mr. Thomas Johnson, one of the foremost statesmen of the day, whose name appears on nearly all the committees, and Samuel Chase, the 'Demosthenes of Maryland,' who first declared in Congress that he 'owed no allegiance to Great Britain.' Altogether the delegation constituted a noble representation of the ability, culture, political intelligence and wisdom of Maryland at this exciting period."

After reviewing the remarkable list of activities in which Johnson engaged in the development of the Republic, one can not but wonder why this statesman from Maryland has received such a scanty mention in American history.

(To be continued)

²⁶ Scharf, *History of Maryland*, Vol. II, 179.

EXTRACTS FROM THE CARROLL PAPERS

(Continued from Vol. XV, p. 201.)

June 13: 1773 [228]

Dr Charley

I am at ease from what you say of Antilons last Piece & y^r Answer to it. The 21 Barrills of Pork are at the Landing. I have not Counted the Cash you sent by Molly. I will give M^r Deard's Money to Pay M^{rs} Browns Acct. The sledges Hammer & Ploughs you desier shall be ready as soon as possible. Let me see you as soon as you Can. We are well. God grant you perfect Health & a long Continuance of it. I am Dr Charley

Y^r Mo: Aff^t Father Cha: Carroll

P. S.

I understand there is to be in Our next Gazette a disavowell of the Proceedings at the Election in B: Towne, the Parties to it may think themselves Men of Consequence. Chace &c may stir up C: Ridgeley & the other Representatives to resent it & to justify their Proceedings. Do^r jo: Stevenson I Hear is at the Head of the Disavowers & set it on foot.

I leave my letter to Delaney undirected as He may be for ought I know the Hon^{ble} of w^h Title I am not willing to deprive Him

Sterl

I inclose you Wheelers Bond & Acc^t £451:15:2³/₄

M^r Edward Wheeler in Acc^t Curr^t with Charles Carroll Esq^r
1772 Sterl

June 16. To Balance (Fo. 18) 424..10..51¹/₂

acres

1773 To 2 y^{rs} Quit Rents 283 1.. 2..8June 16. To 1 y^{rs} Interest on 425..13.11¹/₂ 25..10..91¹/₂

To 1 years Quit Rents 11..4

451..15..2³/₄

1773

Sterl

June By y^r Bond charged Lib C. C. Fo. 451..15..2³/₄

June 18th 1773 [229]

Dr Charley

I have y^{rs} of the 11th & 14th inst. I am easy about y^r Answer to Antilon as you are satisfied with it. If you do not publish it during the sessions, I shall expect you next week. I have got Home the Pork & the £81 you sent 'me. I gave Mr Deards the widow Browns Acc^{ts} & money to Pay Her. I order'd the sledge Hammer & 3 Weeding Ploughs on receipt of y^r letter, I will enquire whether they are done. If wee have or I Can get it, I will send you the Turnip seed you wrote for. Pray informe me whether it is likely th^t the House will proceed to doe business, that is whether the Upper House will yield, for I suppose the Lower to be inflexible. I hear yesterdays Gazette Contains a Protest of some in B. Towne ag^t burning the Proclamation &c &c & th^t D: D: & His Brother Dennis were there the 7th inst. If the Protest be not Cautiously & modestly worded, it is more than probable it will give offence to the County & its Representatives & be attended with Consequences not agreeable to the Protesters. Pray give me a little of y^r Time & let me Have all the news you can, but I hope you will bring it, if you do not Publish, Mr Deards Can take Care of y^r Open House. This is bad weather for the Wheat only, I fear the Rust. Pray put up the inclosed advertisement at the door of our County Court, th^t is where the Court is Held, desier Mr Deards to do it & to take a M^o: of the day. God bless you & grant you Health. I am Dr Charley

Y^r Mo: Aff^t Father

Cha: Carroll

June 24 1773 [230]

Dr Charley

I am obliged to you for y^r Acc^t of the Proceedings of the Assembly, they will I doubt not adopt a more Rational Plan then th^t upon wh^h they Have set out. If insted of Voting the 40 p^r Pol Law invalid, they had Resolved & voted all to be Enemies to their Country who should Pay Officers Fees under the Proclamation & the last table they would in my opinion

have done well, the Officers discouraged by such a Vote & the fear of getting no fees would in all probability Consent to a reasonable fee Bill. I am not of a disponding temper, I hope the Meeting will be attended with a better Issue than you seem to Expect, & I flatter myself you will Confirm my Hopes by y^r next, a week may make a great Change, be Particular, I think the Address to C: Ridgeley &c may be exposed to great Contempt, it is Reported a list of 500 will appear this week, in Our Gazette or a Paper of Goddards ag^t the 106 in our last Gazette. If you have very good Authority for what you write to Molly the Gov^r sayed about the 1st Citizen, you will doe well not to Darken His doors untill His Behaviour Contradicts His words, w^h from His fickel foolish Conduct it is more than Probable will soon Happen. Y^r Ploughs & sledge Hammer are ready, if I have an opportunity I will forward them to you. We want Rain much, perhaps we may have a gust this afternoon, it now looks like it. We began yesterday to Cut some Rye, I think our Wheat Harvest will Come on sometime next week, I think the Wheat will be good, but some of it I am told is touched with the Rust. All our Corn & tob^o fields are very Clean & look well a Soaking rain would doe great good especially to the Oates w^h look well & are now filling.

June 25th. No rain yet, but it is so Close warme & Cloudy th^t I expect a gust this afternoon. You do not tell me th^t you intend y^r Answer to Antilon to be in our next Gazette but as you say you shall not be with us before next Thursday or Friday, I suppose it. Capⁿ Ellis is a good natured & agreeable Gentⁿ & I have been pleased with His Company, He leaves me toMorrow, so does Cousin D: Carroll who Came Here last Monday, on th^t Day Mrs Darnall set out on a Visit to Mr^s Baker & Coⁿ Carroll, we expect Her toMorrow. Molly our little one & I are well. God Bless you & grant you perfect Health & a long Continuance of it. I am Dr Charley

Y^r Mo: Aff^t Father

Cha: Carroll

P. S. Pray seal the inclosed to West.

6 a Clock P. M. We have had a fine rain, it lasted nigh three quarters of an hour.

July 16th 1773 [231]

Dr Charley

I yesterday very effectually proved the Bounds I wanted to Establish. In the Afternoon we had a fine rain, it lasted about an hour, it was of great Service to the Corn tob^o & Pasture, We may doe without more Rain for 6 or 8 days. keep Alick to wait on Molly up. The Child is perfectly well My love to you & Molly, God grant you both perfect Health & a long Continuance of it. I am Dr Charley

Y^r Mo: Aff^t Father

Cha: Carroll

July 20th 1773 [232]

Dr Charley

I doe not doubt but you will Carefully Examin Perkins & Companys Acc^t Cur^t When I goe to Annapolis I will specify the Articles objected to, w^h are to be Creditted. Doe they or Hobson mention any thing of my Wiggs returned to P: B & Br. What assurance Can West Give you th^t His Bill will meet with a better fate than y^r owne, this you must be well Satisfyed about & let Mr West know my direction to you is to get th^t Satisfaction. If Major Hutcheson be stil in Towne Pray present my Compliments to Him thank Him for His kind Remembrance of me & desier Him to present my Hum: Respects to Generall Haldiman & to Assure Him it would give me Pleasure to see Him at my Country Retreat. I should be sorry if Antilon by an answer to y^r last should oblige you to Reply. Should Boucher Attack the Planter you need not, notwithstanding His Suspensions, take up the Cudgells to Vindicate Him, you would ended be fully Employed were you to Vindicate every Anonimous production w^h may be sayed to be yours. We have a Report Here that Troops are Expected at Annapolis

& Baltimore & that the Gov^r wrote for them should this be true, He may Perhaps meet with greater Mortifications than the Burning of His proclamation. The Swelling in my leggs is much abated, it is scarce perceptible in a morning, Setting long is Prejudiciall to me Exercise is absolutely necessary Especially Walking. But I Cannot walk as much as I would doe in this Hot Weather, I generally walk from 6 P. M. to 8 a Clock. Every thing Here is in a thriving Way. Our grain in Generall is secured, some Oates excepted. Most of our meadows are mowed & the Greatest part of the Hay Stacked. We shall begin to mow the Pool meadow on friday w^h will yield a rich Crop.

Mr Deards Writes me He will Endeavour to be Contented with the advance of His Wages, w^h is saying very Plainly that He is not so at present; How happy is His scituation to what it was when He Came to us, but Nemo sua Sorte beatus, I wish Him well & in a Station more agreable to Him, y^r sentiments are I am Confident agreable to myne & that you would be glad He Could find such a Station. I have a letter from Mr Williams with His Acc^t of Disbursements on the Vignerons Amounting to £33:11:9 I am to Pay Him beside £5 or £6 on Mr Ashtons Acc^t. Pray send me a good Bill for £40 if any such Comes to y^r Hands or advise me where I can draw for th^t sum Pray peruse Seal & forward the inclosed. Has Graves wrote to you or sent you any Books? Our little Darling has a Cold, not troublesome to Her or any ways dangerous, otherways perfectly well & in good spirits. God Bless you & grant you Health I am Dr Charley

Y^r Mo: Aff^t Father

Cha: Carroll

July 30th 1773 [233]

Dr Charley

I have y^{rs} from the 22^d to the 26th instant inclusive, the Contents have not been Communicated to any one but Molly. You are right to stick to Antillon, avoid Writing on any other Subject, I am Certain you will find it the most prudent Course

a due Attention to y^r owne affairs will not admit you to spend y^r time in Political squabbles or Party writings. I am pleased with the Concern you express for my Health & y^r Tenderness duty & affection. I am Convinced they are most Sincere. I have never had the least Reason to doubt th^m. The swelling in my leggs has been quite gone for 5 or 6 days past, from my Present Health strength & Habit I flatter myself I shall have the Pleasure of being with you a few years longer, but build not on it. Accustom y^rself to think frequently as I formerly Wrote you on my dissolution, th^t when it Happens it may be less Afflicting. You will doe well by such expressions of y^r Regard for Graves, by shewing Him the Esteem you have for Him to force Him in a manner to keep up a Correspondence with you. Make no other Repairs to the House M^{rs} Potts lived in than are absolutely necessary to keep it standing. But more of this when we meet. Ashton is Anto^y Carroll's Attorney. I have not yet answered the Barristers letter . . . You are right to despise Lexiphares & all such scrubs. The letter from Cha^s County giving an Acc^t of the Joy there, the Applause given to Antilon, the Sermon &c, Mr. Rozier tells me is all a lye. Upon praising Antilon at Melwood my Niece told Her Husband His Prejudices were very strong, th^t had the Citizen wrote Antilons Papers & Antilon the Citizens their Praises would still be in favour of Antilon & then left the Company. I sayed nothing to Deards, I thought my disapprobation of His letters would be best expressed by my silence. I send you His letters th^t you may judge. I think Him too Assuming & wish as you doe He Could get a more profitable Place. I hope Antilon will wave the dispute. I have had the inclosed applications for our tobo. my demand was 16/8 ster. I answered Buchanans, He has not been wth me. Stephenson Called & I have some Hopes He will Call again. Rozier His wife & son goe to Morrow, Capⁿ Scot & Ja: Brooke Came last night, M^{rs} Ridout & the Major are to Return next Tuesday to Annapolis. God Bless you & grant you Health. Y^r last letter was full & a pretty long one, for which I thank you.

Aug^t 26th 1773 [235]

Dr Charley/

Molly Continues to mend, But she & Wee have been very uneasy on the Childs Acct, she & the Child for some days had a Cold & Ugly Cough. Last Monday about noon she was seized with a Violent feaver w^h Continued on Her until yesterday noon with very little Remission, she is now Clear of it & in spirits w^h makes us all so. We have great Crops of tob^o & the tob^o of an Extraordinary Size: We began to House it yesterday. Riggs Says He shall want House roome. Frost has done sowing His Wheat & Rye, Riggs has about 40 Bush^s of Wheat to sow w^h must be postponed untill the Hurry of Housing is something over. Clarke has sowed but a small proportion of His Wheat on Acct^t of the foulness of His Corn ground & it must be put of until Mr Riggs Can find time to Assist Him with His Ploughs.

The wind is strong at N: E. & it spits Rain, I wish it may not turn out a N: E: gust, should th^t Happen it will shatter our tob^o Spot & Rot it, blow downe our apples brake the trees & lay our Corn & be of vast prejudice. Pray write to West about our Cottons & other goods not sent by Hobson, to know whether we Can depend upon having them & in what time, & let him know th^t if He Cannot give a Satisfactory answer, to supply us immediately with the Quantity we wrote for. Aug^t 27th One a Clock P. M.

John Sears this minute delivered me y^{rs} of yesterday w^h I communicated to Molly who will answer what relates to Her. Our little Girl is very well but pulled downe & thin. We had a Heavy Rain & wind untill 12 last night; It has been no otherways, prejudiciall as I yet Hear but Hindring our Housing, makeing the tob^o Spot & Preventing Ploughing I am Glad to Hear you have so good Crops at y^r Plantation nigh Towne & the Island. Johny Sears is an Active Industrious young man. As soon as my tob^o is Housed I will send you my Carpenters, they are all at present finishing two new tob^o Houses, w^h must be done unless I resolved to loose the tob^o they will Contain.

Such is the Growth of tob^o th^t with all the shifts Riggs Can make I am fearfull we shall not be able to find House roome for it. If the Barne is so bad, why did not Joⁿ Sears stack His Rye & Oates. Jos. Johnson I suppose will be with me before the 20th of Sep^r. I shall deliver you the greatest part of the Cash I shall Receive from Him. Johny Carryes the Ploughs & Hammers. As nothing regular Can be expected from y^r additions & improvements, I hope you will obtain at least Conveniences. Since you Cannot Come for Molly, I shall be glad to see Deards on Friday as Molly intends downe on Monday Sennight. Our Gov^r is what you say a very silly idle dissipated man. Have you been in Company with Him since you left us? if so, how did He Behave? Molly y^r wife, is I think quite well, May you be so & long Continue so. God bless you.

Sep^r 3: 1773 [236]

Dr Charley/

I have y^{rs} of the 30th past by Mr Deards I am satisfyed with y^r Choice of Wallace & Compⁿ for Correspondents. Three Carpenters shall be sent as soon as they Can be possibly spared, w^h I hope will be in less than a fortnight, they may goe to the Island get the scantlings for the Corn House Sibthorp shall Carry with Him the dimensions of my new Corn House. C: Neales Debt is good, but there is no Conveying a letter to Him from Hence but by a special Messenger. Montgomery was easy & Chearfull. I am glad to Hear our goods are Come from Hobson. Send me His letters. What prospect have you of Making such a Remittance as will answer the Goods to be sent for & Bills to be drawne? I must have y^r Bills payable to Mr John Williams for \$45 or Guineas to that Amount as soon as Possible. Mr Ridout tells me Capⁿ Howard Has brought in many tradesmen I want a Plasterer Exceedingly Having work of that sort to doe to the Amount of upwards of £100 so th^t He will be a very profitable serv^t therefore spare no pains to get One. I shall be downe a few days before the Races. Molly has not been well since you left us.

Sep^r 17th 1773 [237]

Dr Charley/

Three Carpenters set of to morrow to doe what Work you want to be done at the Quarter, as soon as they have done at the Quarter send them to the Island to get the Frame of the Corne House agreeable to the inclosed Bill of Scantling. When the Frame is got Sibthorp & two of the Hands under Him shall be sent to frame & set it up. Credit Edw^d Dorsey by the inclosed Bill, the Cash I keep. I expect Jos: Johnson from Carrollton to Morrow. We shall House all the tob^o by the last of next week or sooner. We are getting in our Blades & tops. I think we shall make upwards of 100 hgds of tob^o. Our Wheat is not all sowed. I Continue Hearty & well, Mrs Darnall Had the toothache yesterday & last night badly, she is easier to day. We propose to see you on Wensday or Thursday, if the Morning permits us to set out early. We will dine with you if not we will Dine with Tootle, or at Tootles. Do not wait Dinner for us. Molly gave me the greatest Pleasure & Satisfaction by informing Her mother that she was as well as she ever was in Her life.

Octo^r 15: 1773 [238]

Dr Charley/

Rob^t Davis (by whome I wrote to you) Set of from Hence last Tuesday morning to receive y^r instructions. I shall be glad to know whether what He has done is to y^r Satisfaction. Mr Monerieff successor to Mr French informs me Cooper Oram lives about 3 miles below E: R: Landing & has promised to desier Him to Come to me. Pray let me know what questions you would have me Ask Him. Clark has at last sowed His Wheat, He says 100 Bush^s & 16 of Barley, the Ground in Generall was in bad order otherways from the mild weather we have Hitherto had it might produce well. Frost at the Plantations under His Care has sowed 60 Bush^s of Wheat & as much Rye, it was all sowed by the 23^d of Aug^t. Riggs's

1686, disposes of a large estate, both real and personal property. The "Plains," 600 acres, was left to his two sons, William and John; to Thomas and James he left "Huntingfield," his "Dwelling Plantation"; to his youngest son, Charles, he gave "Ringgold's Fortune" which lies near St. Paul's Church in Kent County.

In that portion of his will in which he leaves his son James part of his "Dwelling Plantation" he states that "James is now heir apparent of lands of Captain Robert Vaughan, late of Kent County, being the oldest son of the now only daughter of him the said Vaughan." Major James Ringgold married Mrs. Mary Vaughan Burton, the widow of Edward Burton, and the daughter of Captain Robert Vaughan.

(To be continued.)

THE LIFE OF THOMAS JOHNSON

EDWARD S. DELAPLAINE

PART SIXTH

CHAPTER IX

IN THE FIRST CONTINENTAL CONGRESS

Up to this time, Mr. Johnson's public work had been confined to the borders of his own Colony. But on the 6th of September, 1774, he took a seat in Congress and his career in the broader field of politics began. Three of the Maryland delegates—Chase, Paca, and Goldsborough—were on hand when Congress convened the day before. So was George Washington, who journeyed up from Mount Vernon in company with two of his colleagues, Edmund Pendleton and Patrick Henry. But the remaining member from Maryland, the venerable Matthew Tilghman, did not put in his appearance until a week later. Peyton Randolph, who was chosen president of Congress;

Richard Bland, and Richard Henry Lee, completed the delegation from the Old Dominion. The five delegates from Maryland and the six from Virginia blended wisdom with eloquence, prudence with courage, and conservatism with youthful fire. In Carpenters' Hall, Johnson saw about him a brilliant array of Colonial statesmen, the most powerful orators, the most distinguished leaders, men of the most commanding ability then to be found in all America. But with a long experience in the Provincial Assembly, he was well equipped to play a conspicuous rôle in the proceedings of the General Congress. His keen, analytical mind, his sound judgment and common sense, his unflinching courage and incorruptible integrity brought him immediately forward as one of the leaders of the House.

The day Johnson arrived, Congress determined upon the plan to select a committee "to state the rights of the Colonies in general, the several instances in which those rights are violated or infringed, and the means most proper to be pursued for obtaining a restoration of them." And on the next day it was decided to place on the "First," or "Great," Committee, as it was called, two delegates from each Colony. One of Maryland's representatives was Thomas Johnson, Jr. The following were the members of the committee:

Massachusetts, John Adams and Samuel Adams; Rhode Island, Samuel Ward and Stephen Hopkins; New Hampshire, John Sullivan and Nathaniel Folsom; Connecticut, Roger Sherman and Eliphalet Dyer; New York, John Jay and James Duane; New Jersey, William Livingston and John Dehart; Pennsylvania, Edward Biddle and Joseph Galloway; Delaware, Caesar Rodney and Thomas McKean; Maryland, Thomas Johnson and Robert Alexander; Virginia, Edmund Pendleton and Richard Henry Lee; South Carolina, John Rutledge and Thomas Lynch.

The appointment of Mr. Johnson on this committee gave him an opportunity to come in close contact with a score of the most eminent statesmen of the New World. With harmony so essen-

tial, they faced a task of supreme importance to America. John Adams said that during their first day's conference (September 8) the Great Committee had "a most ingenious, entertaining debate." Business on the floor of Congress was entirely suspended until the 14th of September; and the sessions of the Committee were so protracted that it was whispered in many quarters that the balance of the members were beginning to grow "jealous." But finally the Committee reached a decision and on September 22 reported the *Rights of the American Colonies*—rights based upon the laws of Nature, the principles of the English Constitution, and Charters and Compacts—and two days later the *Infringements of American Rights*. The first important duty of Congress had been performed.

The delegates were now ready to determine upon a common course of action. The first proposal was to stop all importations from the parent realm. This plan had been strongly endorsed in the Maryland Convention at Annapolis three months before; yet the Maryland delegates proceeded with caution. Although as ardently devoted to the American cause as any patriot in the Colonies, Johnson remained conservative and prudent in dealing with the soul-stirring problems which appeared before him at Philadelphia. Both he and George Washington advocated a courageous statement of American rights; but both, according to F. N. Thorpe, viewed the controversy, like John Adams, with the lawyer's eye: they did not display the impetuosity of Patrick Henry and the flaming zeal of Richard Henry Lee. Concerning the course Johnson and Washington pursued at Philadelphia, Mr. Thorpe says:¹⁹

"The Maryland delegates, Matthew Tilghman, Thomas Johnson, William Paca and Samuel Chase, were neither united nor divided on any administrative measures, but yet were unanimously desirous of formulating the American cause more clearly. Thomas Johnson, the ablest man among them, was not

¹⁹ Francis Newton Thorpe, *The Constitutional History of the United States*, Vol. I, 82-84.

ready to go further than John Adams. The Maryland delegates, however, were instructed 'to effect one general plan of conduct bearing on the commercial connection of the Colonies with the mother country.' . . . Washington, one of the Virginia members, thus early appearing in the councils of his country, was not committed to radical measures, for as yet he was confident that harmony would ultimately prevail and he did not share the strong opinions of Henry, John Rutledge and Samuel Adams. Like John Adams and Thomas Johnson, he took a legal rather than an economic view of public affairs."

The *non-importation* agreement was assented to rather readily and on September 27 it was unanimously resolved, "That there be no importation, from and after December 1, 1774, into British America from Great Britain or Ireland, of any goods, or from any other place of any goods as shall have been exported from Great Britain or Ireland; and that no such goods, wares or merchandise imported after December 1 be used or purchased."

But *non-exportation* brought forth considerable opposition. All the delegates realized that this plan would be distasteful to Great Britain, but the Southern delegates maintained that their Colonies would thereby be injured more seriously than the others. North Carolina exported pitch, tar and turpentine; South Carolina large quantities of rice and indigo; and Virginia tobacco. Unless these products could be shipped to the foreign markets, the Southern statesmen insisted that their Colonies would suffer disastrously. Samuel Chase, coming from a "tobacco colony," gravely predicted that non-exportation would send the entire country into bankruptcy. But all the delegates realized that harmony should prevail; and when South Carolina acceded after securing an exception of rice, Virginia withdrew her opposition, Maryland supported the measure and North Carolina rapidly fell in line. Thereupon, on September 30, it was resolved "That from and after September 10, 1775, the exportation of all merchandise and every commodity to Great Britain, Ireland and the West Indies,

ought to cease, unless the grievances of America are redressed before that time."

Then came Johnson's appointment on a committee to devise a plan to make the resolutions effective. It was agreed in the non-exportation resolution that the Annapolis attorney, together with Thomas Cushing (Massachusetts), Isaac Low (New York), Thomas Mifflin (Pennsylvania) and Richard H. Lee (Virginia), should constitute a committee "to bring in a plan for carrying into effect the non-importation, non-consumption, and non-exportation resolved on." Recommendations were made by this committee for an *American Association*,—a course which Mr. Johnson had warmly espoused in the first Maryland Convention.

Mr. Johnson, it seems, was conspicuous in the debates on the severance of commercial relations with the mother country. This fact can be inferred from the statement made by John Adams on October 10, 1774, that Johnson of Maryland possessed "an extensive knowledge of trade as well as law." Adams' opinion of Johnson is contained in the following estimate of the more prominent members of the first Congress:

"The deliberations of the Congress are spun out to an immeasurable length. There is so much wit, sense, learning, acuteness, subtlety, eloquence, &c. among fifty gentlemen, each of whom has been habituated to lead and guide in his own Province, that an immensity of time is spent unnecessarily. Johnson of Maryland has a clear and a cool head, an extensive knowledge of trade as well as law. He is a deliberating man, but not a shining orator; his passions and imagination don't appear enough for an orator; his reason and penetration appear, but not his rhetoric. Galloway, Duane, and Johnson are sensible and learned, but cold speakers. Lee, Henry, and Hooper, are the orators; Paca is a deliberator too; Chase speaks warmly; Mifflin is a sprightly and spirited speaker; John Rutledge don't exceed in learning or oratory, though he is a rapid speaker; young Edward Rutledge is young and zealous, a little unsteady and injudicious, but very unnatural and affected as a speaker;

Dyer and Sherman speak often and long, but very heavily and clumsily.”²⁰

The observation of Mr. Adams that Delegate Johnson was “not a shining orator,” in comparison with Patrick Henry and Lee, recalls the contrast Thomas Jefferson made fifty years later between the delegates from Maryland and the Virginia representatives in the Continental Congress. When Daniel Webster visited Jefferson at Monticello toward the close of the year 1824, the aged Virginian told that distinguished orator from New England that Patrick Henry and Lee “opened the general subject” in the Continental Congress with such gripping eloquence that Samuel Chase and William Paca, delegates from Maryland, shook their heads and said: “We shall not be wanted here. Those gentlemen from Virginia will be able to do everything without us.” But, Jefferson explained, neither Henry nor Lee was a man of business, and, having made strong and eloquent general speeches, they had done all they could.²¹ A slightly different account says that after Henry and Lee had made their maiden speeches in Congress, Mr. Chase said to one of his colleagues from Maryland: “We might as well go home. We are not able to legislate with these men.” But later, during the debates on American commerce, Chase declared: “After all, I find these are but men, and, in the mere matters of business, very common men.”

Manifestly, “reason and penetration” at this time were as much in demand as “passions and imagination.” At least, when Congress determined to make a plea to the King for reconciliation, the deliberating man, with the “clear and cool head,” from Maryland, was again called upon to render assistance in the preparation of the paper. It was on the first day of October, 1774, when Congress unanimously resolved, “That a loyal address to his majesty be prepared, dutifully requesting the royal attention to the grievances that alarm and distress his majesty’s faithful subjects in North-America, and entreating

²⁰ *The Works of John Adams*, Vol. II, 395-6.

²¹ George T. Curtis, *Life of Daniel Webster*, Vol. I, 588.

his majesty's gracious interposition for the removal of such grievances; thereby to restore between Great Britain and the Colonies that harmony so necessary to the happiness of the British Empire, and so ardently desired by all America." Whereupon Congress placed the burden of the work upon Richard Henry Lee and Patrick Henry of Virginia, John Adams of Massachusetts Bay, John Rutledge of South Carolina, and Thomas Johnson, Jr., of Maryland. For several weeks these five American statesmen devoted profound thought to the preparation of the document, which they desired to be respectful to the Crown and at the same time clear and emphatic. John Adams says that on the night of October 11 after dining with Caesar Rodney, Samuel Chase, William Paca, Thomas Johnson, and others, at the home of Mr. McKean, he went to Patrick Henry's "lodgings," to discuss the petition to the King. When Congress selected the committee, ability had been recognized, but geographical distribution had been sadly overlooked. Adams was the only Northern man on it. Lee, Henry, Rutledge, and Johnson came from the South. The Central Colonies — the most backward in general sentiment — were not represented. The report from the committee did not prove acceptable to the Middle Colonies; it was apparent that a mistake had been made. Accordingly, John Dickinson, of Pennsylvania, who had entered Congress a few days before, was added to the committee. On October 24 a second draft was reported, and two days later the *Petition of Congress to the King's Most Excellent Majesty* was signed by the delegates and prepared for transmission to Europe. Included among the signatures were those of *Mat. Tilghman, Th^s Johnson Jun^r., Wm. Paca, and Samuel Chase*. Like the Great Committee's report of American Rights and Infringements, the Address to King George III was a masterly presentation of the American cause, which "when laid upon the table of the House of Lords, drew forth the splendid encomium of Chatham."

The documents drafted by the members of the first Congress are state papers of great historical value. They will ever be

regarded as among the ablest specimens of practical talent and wisdom in American politics. And while the Colonies were represented at this momentous session by statesmen of the highest order, none, according to the comparative estimates of the statesmen who served in it, had a keener vision or a firmer grasp of affairs than Johnson. In a body of more than fifty men representing over 2,000,000 people, Johnson had the distinction, enjoyed by only one other delegate (Richard Henry Lee), of serving on all three of the following committees of supreme importance: (1) the committee "to state the rights," or the Great Committee; (2) the committee to devise a plan to carry non-importation and non-exportation into effect; and (3) the committee to frame the Petition to the King. Very succinctly one authority²² thus characterizes the leading statesmen in the first Congress:

"New England presented, in John Sullivan, vigor; in Roger Sherman, sterling sense and integrity; in Thomas Cushing, commercial knowledge; in John Adams, large capacity for public affairs; in Samuel Adams, a great character, with influence and power to organize. The Middle Colonies presented, in Philip Livingston, the merchant prince of enterprise and liberality; in John Jay, rare public virtue, juridical learning, and classic taste; in William Livingston, progressive ideas tempered by conservatism; in John Dickinson, 'The Immortal Farmer,' erudition and literary ability; in Caesar Rodney and Thomas McKean, working power; in James Duane, timid Whiggism, halting, but keeping true to the cause; in Joseph Galloway, downright Toryism, seeking control, and at length going to the enemy. The Southern Colonies presented, in Thomas Johnson, the grasp of a statesman; in Samuel Chase, activity and boldness; in the Rutledges, wealth and accomplishment; in Christopher Gadsden, the genuine American; and in the Virginia delegation, an illustrious group,—in Richard Bland, wisdom; in Edmund Pendleton, practical talent;

²² Frothingham, *The Rise of the Republic of the United States*, Chapter IX.

in Peyton Randolph, experience in legislation; in Richard Henry Lee, statesmanship in union with high culture; in Patrick Henry, genius and eloquence; in Washington, justice and patriotism. 'If,' said Patrick Henry, 'you speak of solid information and sound judgment, Washington unquestionably is the greatest man of them all.'"

John Quincy Adams and Charles Francis Adams, in editing the works of John Adams,²³ refer particularly to Thomas Johnson, along with John Dickinson, Caesar Rodney, and several others of their calibre as having "sincerity of purpose and cautious judgment as well as practical capacity, which would not have discredited the most experienced statesmen of their day."

Congress having adjourned on October 26, 1774, Mr. Johnson returned to his home in Annapolis; and on November 9th was placed on a Committee of Correspondence for Anne Arundel county and authorized to attend the Second Provincial Convention. Assembling on the 21st of November, this body approved unanimously the proceedings of Congress, resolved that every person in Maryland ought strictly to observe the Articles of Association, and selected Tilghman, Johnson, Chase and Paca, Charles Carroll of Carrollton, Charles Carroll barrister and John Hall, on a Provincial Committee of Correspondence.

The winter, which was now setting in, saw Maryland preparing with great haste for hostilities which seemed almost inevitable.

CHAPTER X

IN THE SECOND CONTINENTAL CONGRESS. NOMINATES WASHINGTON COMMANDER-IN-CHIEF

Everywhere the Colonists awaited with bated breath the next move from abroad. Frequently holding meetings, they charged committees of their own selection to keep constant vigil for

²³ *The Life of John Adams*, Vol. I, 217-8.

developments. For example, in the dead of winter (on January 16, 1775) a mass meeting was held at Annapolis, at which Johnson was placed on a Committee of Observation for Anne Arundel county. Parliament, indignant and determined to retaliate for the interdiction of commerce, ordered General Gage to reduce the Colonists by force. The stirring antebellum days Ridpath describes in the following words which ring with martial music: "There was no longer any hope of a peaceable adjustment. The mighty arm of Great Britain was stretched out to smite and crush the sons of the Pilgrims. The Colonists were few and feeble; but they were men of iron wills who had made up their minds to die for Liberty. It was now the early spring of 1775, and the day of battle was at hand." The Maryland Convention reassembled on April 24th and on the 28th received the first word of bloodshed. The Maryland leaders of the patriot cause now had a new text from which to enthuse the people. As the pall of Lexington spread over the land, the people prepared more eagerly for defense. No event thus far had so strongly cemented the bonds of devotion to the American cause. The first volley of the Revolution had fired the whole country.

The second session of Congress was approaching, and the Maryland Convention proceeded to the choice of seven representatives. The five patriot leaders who had served so ably in the first Congress — Tilghman, Johnson, Paca, Chase, and Alexander—were authorized to return to the second. To the delegation were added John Hall and Thomas Stone. Any three or more were authorized to join with the sister Colonies in any measures deemed necessary for the defense of the American Colonies.

Mr. Johnson appeared in the State House at Philadelphia on Wednesday, May 10th, 1775, when the second Continental Congress convened. With him from Maryland were Delegates Samuel Chase, William Paca, John Hall and Matthew Tilghman. A few days later Mr. Goldsborough and Mr. Stone arrived. The Maryland delegation was now complete.

On the 2d of June a message arrived from Massachusetts describing "butcheries and devastations" by the royal soldiers and asking advice concerning the establishment of a Civil Government. It was then that John Adams delivered his speech urging the people in each Colony to assume the functions of Government. "The pride of Britain, flushed with late triumphs and conquests, their infinite contempt of all the power of America, with an insolent, arbitrary Scotch faction, with a Bute and Mansfield at their head for a Ministry," he said, would surely force the Americans to call forth every energy and resource of the country. He advocated a Confederacy, like that of Greece, declaring "No man would think of consolidating this vast Continent under one National Government!" Furthermore he advised that American emissaries should be sent to Europe to seek aid at the Courts of France and Spain. On the following day (June 3, 1775), Congress resolved itself into a Committee of the Whole "to take into further consideration the state of America." After discussion, it was decided that a committee of five should recommend the proper advice that ought to be given to the Convention of Massachusetts Bay. Johnson was one of the members chosen by ballot to frame this important report. The members of the committee were: John Jay, of New York; James Wilson, of Pennsylvania; Thomas Johnson, Jr., of Maryland; Richard Henry Lee, of Virginia; and John Rutledge, of South Carolina. These five able leaders, after conferring with the delegates from Massachusetts, drafted a set of recommendations which were read to the House on the 7th of June. Two days later it was resolved, in substance, that Congress should advise the Convention of Massachusetts that the offices of governor and lieutenant-governor should be considered vacant and that the people should take possession of the Government until the royal officers acted in accordance with the ancient charter.

On the 3d of June, Johnson was also chosen to take part in framing a final appeal for reconciliation to the Crown. Two of his colleagues on this committee — John Rutledge and John

Dickinson—had served with him in drafting a similar paper in 1774. The two new members were John Jay and Benjamin Franklin. Thus came Johnson's first opportunity to come in close contact officially with "Poor Richard." The chosen five were authorized to prepare a "humble and dutiful" petition to the King, with a view—forlorn though it may have been—of opening negotiations for peace. So, during the month of June, the members of the committee gave careful thought to the petition.

But, in the meantime, the legislators at Philadelphia did not rest supine. While they earnestly hoped for peace, they considered liberty more important, and immediately took steps for defense. They determined to call upon the Committces of Pennsylvania, New Jersey, Maryland, and Delaware to send to Philadelphia without delay sulphur and saltpeter for gunpowder. Johnson and Dr. Franklin were again chosen together on June 10 "to devise ways and means to introduce the manufacture of salt petre in these Colonies," their associates being Robert Treat Paine, of Massachusetts; Philip Schuyler, of New York; and Richard Henry Lee. They also realized that no time was to be lost in sending off riflemen to join the camp at Boston, and provision was made on the 14th of June to organize troops immediately to serve for a period of one year.

But the Commander-in-Chief of the Continental forces had not yet been selected. Many names had been mentioned and it seemed inevitable that serious difficulty would be met before a choice could be made that would be satisfactory to all. To many of the members, it appeared most appropriate that the Army of New England should be commanded by a Northern general; to place it under the command of a Southerner, they argued, would be "an experiment of delicacy and hazard." On the other hand, the South—particularly Virginia—was very proud of its heritage and from an early day exhibited a marked suspicion, if not a jealousy, of the motives of the New England Colonies.

George Washington was then attending the sessions of Con-

gress in uniform—a fact which has led some writers to believe that he was modestly announcing his candidacy for some military office in the Continental Army. Although virile and courageous, and a good soldier, Col. Washington was opposed for Commander-in-Chief by many of the delegates for the supreme command. Many of the New England delegates, of course, were openly against him. The Adamses seemed to be favorable to his appointment, but other members of the Massachusetts delegation held tenaciously to the view that a Northern man should be chosen. Then, too, some of the delegates from the South were not so “strong” for Colonel Washington. Indeed, some of the members of the Virginia delegation were “very cool” toward his appointment; while at least one was “very clear and full against it.” It is safe to say, however, that “Dick” Lee and “Tom” Johnson were, from the very beginning, among the warmest supporters of their intimate friend from Mount Vernon. All three having been born in the same year along the Potomac, their friendship had grown stronger with each advancing year; and Lee and Johnson were in a position to appreciate from close contact the wonderful qualities of Washington as a man and as a soldier.

Finally, in an effort to test the sentiment of Congress, John Adams offered a motion to adopt the forces then besieging the British troops in Boston as the Continental Army, and in support of that motion casually remarked that it wouldn't be difficult to secure a Commander-in-Chief with the necessary qualifications, for such a man, he felt sure, could be found on the floor of Congress. The allusions became so pointed that Col. Washington, who was occupying a seat near the door, darted with characteristic modesty into the library. Adams' remarks provoked many expressions of open hostility to Washington. Thomas Cushing, of Massachusetts, avowed opposition to him, and warned that if a man from below the Potomac were picked for the position of Commander-in-Chief, the soldiers, and, indeed, the people of New England generally, would be greatly discontented. Mr. Paine expressed a strong preference for

General Artemus Ward, an old college chum, who was already then in command of all the New England forces. Among others who declared that the selection of George Washington would be "highly inexpedient" was Roger Sherman, of Connecticut. Mr. Pendleton explained that to place his colleague at the head of the Army of the Revolution would be an "unwise course." The general trend of the argument was that the Continental forces were composed entirely of New England men, that they already had a General of their own, that he, General Ward, was very satisfactory, and that the American riflemen had proved themselves able to imprison the British—this was all that could be expected of them at this time.

George Washington's friends, observing the hostile sentiment, postponed final decision of the question. Overpowered for the time by the sense of responsibility, Washington is said to have declared to Patrick Henry: "I fear that this day will mark the down-fall of my reputation!" But his friends remained staunch for him and they made strenuous efforts out of doors to swing the delegations in line.

According to James Johnson, of Baltimore, one of Governor Johnson's nephews, who claimed that he heard the history of the nomination repeatedly from his uncle's lips,²⁴ Delegate Lee told Delegate Johnson that while he was in favor of George Washington, he preferred that the nomination be made by a member from some other Colony, as the delegates from Virginia felt "a delicacy" about nominating their own colleague Commander-in-Chief. Appreciating this position, Johnson met John Adams the morning of the nomination on the steps of the State House and after explaining that Mr. Lee had refused to nominate Washington asked the representative from Massachusetts if he would agree to make the nomination. "Mr. Adams," according to the story, "made no reply, turned on his heel, and left him."

The story of these conversations with Richard Henry Lee and John Adams evidently is not without foundation, for up-

²⁴ *Vide* Scharf, *History of Western Maryland*, Vol. I, 380, 390.

wards of a half-century later Mr. Adams remembered that the delegates from Virginia had, from "delicacy," declined to place Washington's name before the House. In a letter written February 24, 1821, to Richard Henry Lee, grandson of the Richard Henry Lee who introduced the resolution in Congress to declare the United Colonies free and independent, Mr. Adams gave this explanation of why Thomas Johnson, of Maryland, made the nominating speech: "As such motions were generally concerted beforehand, I presume Mr. Johnson was designated to nominate a General, because the gentlemen from Virginia declined, from delicacy, the nomination of their own colleague. . . . It ought to be eternally remembered that the Eastern members were interdicted from taking the lead in any great measures, because they lay under an odium and a great weight of unpopularity. Because they had been suspected from the beginning of having independence in contemplation, they were restrained from the appearance of promoting any great measures by their own discretion, as well as by the general sense of Congress."

In a letter to Colonel Pickering, dated August 6, 1822, in which he told of his journey with Samuel Adams, Cushing, and Paine to Philadelphia in 1775, John Adams presented the following additional facts in this connection: "They were met at Frankfort by Dr. Rush, Mr. Mifflin, Mr. Bayard, and others, who desired a conference, and particularly cautioned not to hisp the word 'Independence.' They added, you must not come forward with any bold measures; you must not pretend to take the lead; you know Virginia is the most populous State in the Union; they are very proud of their ancient dominion, as they call it; they think they have the right to lead, and the Southern States and Middle States are too much disposed to yield it to them. This was plain dealing, Mr. Pickering; and I must confess that there appeared so much wisdom and good sense in it, that it made a deep impression on my mind, and it had an equal effect on all my colleagues. This conversation, and the principles and facts and motives suggested in it, have given a

color, complexion, and character to the whole policy of the United States from that day to this. Without it, Mr. Washington would never have commanded our armies, nor Mr. Jefferson have been the author of the Declaration of Independence, nor Mr. Richard Henry Lee the mover of it, nor Mr. Chase the mover of foreign relations. If I have ever had cause to repent of any part of this policy, that repentance ever has been and ever will be unavailing. I had forgot to say, nor Mr. Johnson ever have been the nominator of Washington for General."

From these statements written nearly fifty years after the Declaration of Independence, it appears that Adams considered it advisable, on the score of policy, that the nomination should proceed from a Southern delegate. And thus the duty fell upon Johnson. The opportunity for this distinguished service came on Thursday, June 15th, 1775, when^e after some discussion the following motion was adopted:

"Resolved, That a General be appointed to command all the Continental forces, raised, or to be raised, for the defence of American liberty.

"That five hundred dollars, per month, be allowed for his pay and expenses."

After the passage of this resolution, Johnson arose; and upon being recognized by John Hancock, who had been chosen presiding officer when Randolph left for Virginia, delivered a brief address in which he placed the name of his friend, George Washington, in nomination for General of "all the Continental forces." It is true, Col. Washington and Mr. Johnson had been personally intimate for a great many years and had engaged in business enterprises together; but it was not friendship alone which induced the nomination. It is problematical whether Washington's nearest friends at this time foresaw the full extent of his greatness. Indeed, Washington openly declared that he doubted his ability to fulfill the arduous duties of Commander-in-Chief. General Bradley T. Johnson says:

Patuxent, where his brother Christopher had died "a violent death" fifteen months before; see tombstone inscription, *supra*.

John Rousby married Barbara, daughter of Henry Morgan of Kent County; she married 2nd on 13 July 1686 Captain Richard Smith of Calvert County. She had children by each marriage. An interesting episode of Mrs. Barbara Smith's life will be found in the *Archives*, Proceedings of the Council 1687/8-1693, pages 118, 153; also in Davis's "Day Star," page 90.

In his Will, made 8 May 1685, before leaving for England, proved 8 February 1685/6 and recorded in the Prerogative Court in Liber G 4, page 164 (now in the Land Office), and an abstract of which is in *Baldwin's Calendar*, Vol. 1, page 159, he devises to his 3 children, John, Gertrude and Elizabeth, and desires that they be brought up in the Protestant religion.¹¹ Of Gertrude nothing is known. Elizabeth married Richard Bennett, of Bennett's Point, Queen Anne's County, said to be at his death in 1749 the richest man in the American Colonies. She died in 1740 without issue.

JOHN ROUSBY,^{2nd} the only son of John and Barbara Rousby was born before 8 May 1685—the date of his father's Will. He first appears in *Maryland Archives* on 22 December 1707, on which day Governor Seymour announces to the Council that he has appointed him Naval Officer of Patuxent to succeed George Plater, deceased. And on 18 February 1707/8 he is sworn in as Naval Officer and is also appointed successor to Plater as the Queen's Receiver of Revenues for Patuxent District, the latter being a royal office and this appointment being made in the emergency and to continue only "till further Direction from the Right Honble the Lord Treasurer"—in England (Proceedings of the Council 1698-1731, printed, *Archives*, Vol. xxv, pages 227, 235). And he soon succeeded to George Plater in another way, for the records of the Prerogative Court show John Rousby as husband of Anne, widow

¹¹ Mrs. Barbara Rousby's sister, Frances, was, or on her marriage to Col. Peter Sayer had become, a Roman Catholic.

and Administratrix of George Plater, deceased, stating Administration Accounts on his estate in 1709 and 1711; see preceding Burford and Plater articles in this series.

Whether he was confirmed as Queen's Receiver or was continuing to act under the temporary appointment (the power to appoint to the office seeming to be in the Surveyor General),¹² does not appear, but he made affidavits to his Accounts as Receiver before the Assembly from time to time for some years. On 29 May 1719 the Governor tells the Upper House that the offices of Receivers of Revenue for the several Districts had first been reduced to two, Potomac and Patuxent, and then the Potomac office had been abolished, leaving only Rousby Receiver for Patuxent, whose office also he had recommended to be discontinued.¹³

As Naval Officer he proved his Accounts before the Council down to June 1717. But on 30 April 1718 Thomas Macnemara was Naval Officer.¹⁴ The Council records are unfortunately very defective at this period, and later. But the *Maryland Gazette* says in its obituary notice of his son's death, as will be presently seen, that he (the father) was "Collector of his Majesty's Customs for the District of Patuxent."

On 5 October 1714 Mr. John Rousby took his seat in the Lower House of the Assembly as a Delegate for Calvert County.¹⁵ As that part of the original Calvert County¹⁶ which was on the South and West sides of Patuxent River, in which part was the old Rousby home, "Susquehannah Point," had gone back in 1695 to St. Mary's County,¹⁷ it is probable that John Rousby had at some time crossed the River and established his residence, "Rousby Hall," on the North side of its mouth. The *Archives* (Proceedings and Acts of the Assembly) show that he sat as Delegate for Calvert County until 31 July 1721.¹⁸

¹² *Archives*, Vol. xxx, p. 47.

¹³ *Archives*, Vol. xxxiii, p. 330.

¹⁴ *Archives*, Vol. xxxiii, p. 151.

¹⁵ *Archives*, Vol. xxix, pages 452, 467 et seq.

¹⁶ 3 July 1654—Proceedings of the Council 1636-1664, p. 308.

¹⁷ *Archives*, Vol. xix, p. 212.

¹⁸ *Archives*, Vol. xxxiv, p. 233.

Exactly when he was appointed a Member of the Council does not appear, but he was present as a Member at a meeting on 13 October 1721.¹⁹ And the *Archives* show his attendance at Council meetings (with absences) down to 3 August 1737,²⁰ and doubtless he was a Member to his death in 1744. At one meeting he is styled Major, at all other times John Rousby, Esquire.

As to minor offices or public employments, in an Act passed in 1723 for the Encouragement of Learning and erecting Schools he was named as one of the Visitors for Calvert County,²¹ and on 18 June 1741 he was Agent for Calvert County for paying bounties to men enlisting in the war with Spain and expedition to Cartagena in South America (Lower House Journal—original).

He died in August 1744. In the typewritten Books of Abstracts of the "Calvert Papers" in the Maryland Historical Society, in Book 19, No. 1120, is a reference to a letter dated 23 August 1744, saying that "this morning news came of Mr. Rousby's death," and the following No. 1121, dated 28 August, mentions the appointment of a successor as Collector. These letters will probably be found on reference to them to be from Edmund Jenings, Member of the Council, to Lord Baltimore. He was probably buried at Rousby Hall, but a tombstone has not been found there.

As before stated he married, before 1709, Anne, daughter of Attorney General Thomas Burford and widow of, first, Robert Doyne and, second, of (Attorney General) George Plater. But she could not have been the mother of John Rousby's children, who were born after 1720, and Dr. Christopher Johnston informed me that the Prerogative Court records at Annapolis showed that she died in 1717; moreover she would have been too old (see the preceding Burford and Plater articles). Who John Rousby's second wife was has not been discovered.

In his Will, dated 18 August 1744, proved 8 and 9 October

¹⁹ *Archives*, Vol. xxv, p. 369.

²⁰ *Archives*, Vol. xxviii, p. 126.

²¹ *Archives*, Vol. xxxiv, p. 740.

and recorded in Liber D D 2, page 576 of the Prerogative Court Records (now in the Land Office), he names 3 children, John Rousby (under 21), Anne, wife of Col. Edward Lloyd (whose beautiful tomb monument in the Wye House graveyard has been mentioned), Elizabeth, wife of Major Abraham Barnes, of St. Mary's County and who is probably buried at "Tudor Hall," adjoining Leonardtown, and Gertrude Rousby, who in May or June 1746 (*Maryland Gazette* of 3 June) married Robert Jenkins Henry of Somerset County, afterwards Colonel and Member of the Council. To John he devised his 2500 acres of Great Eltonhead Manor and 3 other tracts, 500 acres, in Calvert County; and to his daughters other large tracts in other counties.

JOHN ROUSBY^{3rd} had a brief career. The *Maryland Gazette* of 6 February 1751 has the following:

"Last week Died of violent Fever aged about 25 at his seat on Patuxent River in Calvert County, Mr. John Rousby, eldest son of the late Honorable John Rousby Esqr. Collector of his Majesty's Customs for the District of Patuxent, deceased, a Gentleman possessed of a very affluent fortune and many amiable qualities, and whose death is much lamented. He has left a sorrowful widow and one child."

His tombstone is at "Rousby Hall" with the following inscription:

Here lies Interr'd the Body of
M^r John Rousby (only son of
the Hon^{ble} John Rousby Esq^r)
who departed this Life the 28th
day of January Anno Domini
1750 Aged 23 years
and 10 months

His Will, dated 27 January 1751 and proved 8 February 1750²² is recorded in the Prerogative Court Records (in the

²² The dates of the *Maryland Gazette* and of the Will are New Style, of the tombstone and proof of the Will are according to Old Style reckoning.

Land Office) in Liber D D 6, page 538, and devises to his wife Ann and daughter Elizabeth. His wife was Ann Frisby, daughter of Peregrine Frisby of Cecil County; she married 2nd in January 1752 (*Maryland Gazette*) Col. William Fitzhugh from Virginia.

Elizabeth Rousby—the last of the Rousby name in Maryland—married on 19 July 1764, as his 2nd wife (Governor) George Plater. See Dr. Christopher Johnston “Plater Family” in the *Maryland Historical Magazine*, Vol. II, page 371.

“Rousby Hall” was burned by a party from a British vessel in the Revolutionary War (*Maryland Gazette*).

WILLIAM HAZLITT

Reverend William Hazlitt, father of the author, of that name, who was brought up a Presbyterian, became a Unitarian minister. He came to America and was invited to be President of Dickinson College, which was at that time under Presbyterian influence. He had probably not at that time left the Presbyterian ministry.

William Hazlitt, the author, writes; in W. Carew Hazlitt's, *Four Generations of a Literary Family*, v. 1, pp. 26-28:

“My father was invited to preach in Maryland. It was a township (as they call their scattered villages, where a field or two intervenes between every house). And here, in the midst of the forests, and at a distance from the cities on the coast, he found a respectable and polished society, with whom he would have been happy to spend his days, and they were very anxious to have him for their pastor. But on the second Sunday he was seized with the fever of that country, and fainted in the pulpit. Although he might himself, after so severe a seasoning, have been able to bear the climate, he feared to take his family there, and a stop was put to our being settled with a people so very suitable in many respects. I forget the name

of the place, but to Mr. Earl and his family our everlasting gratitude is due. At this gentleman's house my father was hospitably entertained, and but for the great care and attention with which he was nursed he must have died.

"Nothing could exceed the kindness with which they watched over him, even sending twenty miles for lemons and oranges for him, and providing him with every comfort. Two black men sat up with him every night, and he partly ascribed his recovery to a large draught of water that he prevailed on them to let him have, which, however, had been strictly forbidden. For a long time his family were ignorant of his situation, but at last Dr. Ewing and Mr. Davidson came to break the matter to my mother, who very naturally concluded he was dead, and it was some time before they could make her believe it was not the case.

"At length she was convinced that he was recovering, and the next morning my brother John set off to go to him. He went alone on horseback. He rode through woods and marshes a hundred and fifty miles in fifty-six hours, over an unknown country, and without a guide. He was only sixteen at that time, and how he performed so difficult an enterprise astonished everyone who knew it. But he was wild with his fears for his father, and his affection for him made him regardless of every danger. He found him slowly recovering, but dreadfully weak, and after staying there some weeks they both returned together. How they got on I cannot think, but when they came to the door my father could not get off his horse without help. It was November, and the snow fell for the first time that day. My father was very ill and weak for a long time after his return. I recollect he looked very yellow, and sat by the fire wrapped in a great-coat, and taking Columbia root. The 23rd of this month we felt the shock of an earthquake."

Where was this parish? Mr. Earl suggests Queen Anne's County.

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PRESBYTERIAN BEGINNINGS

Historical address by Bernard C. Steiner, Ph. D., on the occasion of the unveiling of the monument at North Point, on October 27, 1920, to commemorate the first services of the Presbyterian Church held within the bounds of the present Presbytery of Baltimore.

The beginnings of Presbyterianism within the limits of the Province of Maryland are obscure. William Durand seems to have been an elder among the Puritans who came to Maryland in 1649. Rev. Francis Doughty, a brother-in-law of Gov. William Stone, sought refuge from New York within the Province and lived and preached upon the Patuxent River for many years. Rev. Matthew Hill labored in Charles County about the year 1670 and Rev. Charles Nicolet, a third Presbyterian, lived in the Province in 1669. Within the limits of the Synod of Baltimore are three Presbyteries and the origins of each are full of interest. The Presbytery of Washington contains the church of Hyattsville, which claims that it has an historic continuity with the church on the Patuxent, the east branch of the Potomac and Pomonkey, with its meeting-house at Bladensburg, and that this church's existence extends back into the Seventeenth Century. In 1691 a traveller coming thither wrote of an "ancient comely man" who was "an elder among

the Presbyterians" and, in 1704, Col. Ninian Beall, an elder in that church, deeded it land for a meeting-house. The Presbytery of Newcastle proudly claims Francis Makmie as the founder of its churches on the Eastern Shore. The Presbytery of Baltimore, through recent investigations undertaken for genealogical purposes by Dr. J. Hall Pleasants and Mr. William B. Marye, has been able to locate the place where the first regular services were held by a Presbyterian minister within its limits and today dedicates here a memorial to perpetuate the memory of these events.

The first Thomas Todd came to America from Denton in County Durham, England, and was in Gloucester County, Virginia, in 1652. In 1664, he was in Maryland, and in 1669, he bought 300 acres at North Point, a tract of land which has never gone out of the family and has always been owned by Thomas Todd, the present venerable and honored owner having granted the Presbytery of Baltimore a permanent license for the erection of this monument in his family graveyard. The first Thomas Todd is described as a "Merchant of the Patapsco River" and was known as Captain. He died in London, while on a visit to England, in 1676, and his son, the second Thomas Todd, lived at Toddsbury, Mobjack Bay, Gloucester County, Virginia. The third Thomas Todd was not on the list of taxables in Baltimore County in 1707, but, probably, removed to his North Point Plantation about 1710. He married Elizabeth, whose maiden name is not known, and by her was the father of Thomas Todd the fourth.

After the Protestant Revolution in Maryland, the Anglican Church was established in the Province and the Counties were subdivided into parishes. North Point was placed within the limits of St. Paul's Parish, whose church building was erected on Colgate's Creek near Dundalk and remained there until it was removed to Baltimore Town. Some time after it was laid out in 1729, as far as we know, no other place of worship existed for many miles. In the early years of the eighteenth century, the rector of the Parish, who was appointed by the

Provincial authorities, was the Rev. William Tibbs, a man of little spirituality but of a scandalous life. For serious minded, conscientious people there could have been little satisfaction in attending religious services conducted by such a man and we can easily imagine that such persons would welcome a man of consistent faithfulness in his Christian life as a preacher of the Gospel. Obviously, since the Anglican clergyman could not be dislodged by his parishioners, those who wished other preaching must seek a clergyman of another denomination. Yearly, the ships came from Great Britain bringing a great variety of articles needed by the planters and returning with cargoes of tobacco, the staple crop of the Province. Through the Captain of one of these ships, a message was sent about 1713 from Baltimore County to London merchants who traded with Maryland, stating that a Presbyterian congregation was being organized and asking that a minister be sent out for it. These merchants were accustomed to fulfill all sorts of commissions for the planters and so they looked about for a Godfearing clergyman, who was willing to undertake the life of a pioneer. Such a man was Hugh Conn, who was born at Macgilligan, Ireland, about 1685, and was educated at Faughanvale and at the University of Glasgow. He was offered the opportunity to come to Baltimore County and did so, probably, in one of the vessels, which arrived in the Province in 1714. He brought with him letters of recommendation from Rev. Thomas Reynolds of London, a Presbyterian clergyman who was much interested in the American Churches. He could, of course, find no place in which to conduct divine worship except a private house, and Thomas Todd's house at the mouth of the Patapsco was probably the most convenient of any of those scattered along the water front and owned by those who had begun the Presbyterian Congregation. So we find Todd appearing before the Baltimore County Court at Joppa, the County seat, at the March Court in 1714-15 and praying "that his house may be licensed for a Presbyterian minister to preach in," which petition, the records tell us, "the Justices granted, provided said

minister qualified himself by taking the oaths" required by the Provincial Statutes. There can be no doubt but that Conn did so and that the regular services were conducted in Todd's house, which was burned by the British in 1814, and which stood on the site of the present house—a stone's throw from the monument which we dedicate today. The scene has changed very little from that upon which the people looked in 1715 and we may imagine the worshippers coming in row-boats and sail-boats along the shore of the Patapsco, or across this river, and then walking up from the wharf to the house, where they doubtless were instructed in Christianity according to the soundest of Scotch Calvinism.

Todd did not hear the sermons long, for he died, and was probably buried here, prior to June 3, 1715, when his will was presented in Court. Doubtless, Conn preached his funeral sermon and, in the weeks that followed his death, fell in love with Todd's widow. Weeds were not long worn in those days and, after a few months, Mrs. Todd became the wife of Hugh Conn. Some time in 1774, a daughter was born to them and was given the mother's name, but the family was not to be united long; for, before the end of 1717, Mrs. Conn had died, aged 27 years, and with her was buried her infant daughter, barely a year old. Thomas Todd the fourth was left without either parent and Hugh Conn was a widower, after only two years of marriage.¹

There is a legend, for which I have found no evidence, that Mrs. Conn went to England and that, on the return voyage, both she and her infant daughter fell ill and died when almost in sight of home. They were buried here and the flat slab over their grave antedates by almost a century any other tombstone in the graveyard.

Services were not long held alone here at Todd's house, and, for some reason, the congregation determined to build a meet-

¹ The pleasant relations between Rev. Hugh Conn and Thomas Todd the fourth, are shown by a deed in the Records of the Provincial Court in Annapolis (E. 1, No. 3, Deeds, f. 6) conveying a farm entitled "Todd's Industry," from Todd to Conn, his step-father, on Oct. 11, 1737, for "natural love and affection."

ing-house upon the land of John Frizzell, on the South Side of the Patapsco River at the head of Curtis Creek. This house was completed by August, 1715, when at the Court held in that month, upon Conn's petition, this house, "lately built," was recorded for a "Presbyterian Meeting-house." Afterwards services were held alternately on the other side of the Patapsco in all probability.

Shortly after this, on September 20, 1715, Mr. James Gordon presented to the Presbytery of Philadelphia a call to Conn from the people of Baltimore County, and the call was approved. Conn's ordination followed on October 3, at which ceremony he was also installed Pastor of the Congregation of Patapsco, by three Scotchmen: Rev. James Anderson of Newcastle, Rev. George Gillespie of White Clay Creek, and Rev. David McGill of Bladensburg. Where he lived while pastor of the Patapsco Church is unknown. The congregation failed to grow and did not give him adequate support. Consequently, in September, 1719, Presbytery granted him a dismissal from his charge, on account of the "paucity of his flock." Rev. Mr. McGill was no longer pastor at Bladensburg and Conn accepted a call from the church there, continuing as its pastor until his death. Webster in his "History of the Presbyterian Church" wrote of Conn that he "seldom met with Newcastle Presbytery, but attended with creditable regularity on the Synod. He adhered to the old side when the Synod divided."

On June 28, 1752, he was preaching at the funeral of a person who died suddenly and spoke of "the certainty of death, the uncertainty of the time when it might happen, the absolute necessity of being continually prepared for it, the vast danger of delay and trusting to a death-bed repentance." He delivered "this part of his discourse with some elevation of voice" and continued, saying "Death may surprise us the next moment." He had scarcely uttered the last word when "putting one hand to head and one to his side, he fell backward and expired." Rev. Samuel Davies of Princeton was so impressed by this sudden death that he twice referred to it in his sermons.

Rev. Mr. Conn's body was probably interred at Bladensburg, but no record of the burial is found, nor does any monument mark his grave. The memorial which we dedicate today is the only one which commemorates his faithful work.

The little congregation on the Patapsco seems not to have called another pastor, but soon disappeared. Its records have been lost, and the meeting-house on John Frizzell's land has long since gone, leaving no trace behind it. Not until 1761 were Presbyterian services again held on the Patapsco, in which latter year the Presbyterians in Baltimore Town began to worship together.

The facts which have just been narrated were ascertained in the early part of 1917 and it was then determined to place a monument here, but the Great War caused a delay in the project. A few months ago, Rev. John P. Campbell, D. D., the Chairman of the Historical Committee of the Presbytery of Baltimore, took up the matter again and to his energy is due the successful completion of the undertaking.

The little congregation, whose existence we here commemorate, was short lived and, probably, Hugh Conn and Thomas Todd would have been incredulous had they been told that, over two centuries after the services were held, the Presbytery named for a city which had not yet come into existence would think the matter of sufficient importance to raise a memorial stone to commemorate these services. Indeed, in his later Bladensburg years, Conn may well have looked back at his experience here with sorrow. The thoughts of the early death of his friend, Thomas Todd, and of the woman who had been so dear to both men, and of the failure of the little church to continue, must have caused him grief.

Yet we do right to recall the efforts of these early pioneers to secure the preaching of the Gospel of Christ by one consecrated to his service and living so as to be an example to those who listened to his proclamation of the Gospel. Dwelling on the edge of a vast wilderness, with the terror of an Indian attack not yet wholly gone, these early settlers felt the need of

assembling for the common worship of God. They came from distances which were great to them, in their boats or on horseback, so that they might hear the divine will proclaimed. They wished to have that will unfolded to them by a man whom they could respect as a religious leader. Not only because they formed the first Presbyterian congregation within the bounds of this Presbytery; but also because of what that organization signified to them and should symbolize to us, we do well to dedicate this memorial stone. The principles upon which they acted are unchanged, the need for men to obey God's will and to devote their efforts for the advancement of the Kingdom of Heaven is as great in the twentieth as in the eighteenth century. The men in our complex age, no less than those in that far simpler one, must remember to do justly, to love mercy, and to walk humbly with our God. As a testimony that we realize the fact and that we place on the regular religious worship and service of Christ the same importance that this early congregation did, the Presbytery of Baltimore has erected this monument and has invited the Synod of Baltimore to be present at its dedication. Far back in the olden time, we are told that Joshua commanded the Children of Israel to take up twelve stones out of the midst of Jordan and lay them down in the place where they had lodged after crossing the river, that "these stones shall be a memorial unto the Children of Israel for ever." In like manner, these stones have been placed here, in order that the passer-by who sees them may have brought to his mind the fact that over two centuries ago in the Province of Maryland, men lived who left a name worthy of remembrance, because they were not so engrossed in things material as to forget things spiritual; because they looked far beyond the clearings around their simple homes to the eternal verities; because they laid a due emphasis in their lives upon the service of God; and because they obeyed with joy the command to assemble themselves together that they might approach their Maker with prayers and praise unto His glorious name.

SOME EARLY COLONIAL MARYLANDERS

McHENRY HOWARD.

(Continued from Vol. XV, p. 303.)

6. LIEUTENANT COLONEL JOHN JARBOE.

William Claiborne of Virginia, who had established trading posts on Kent Island and in the upper Chesapeake Bay prior to the grant of the Maryland Charter to Lord Baltimore, was indignant at what he considered an invasion of his rights by the Charter, and for years nourished a spirit of bitter hostility to the development of the Colony under the Calverts. Taking advantage of the unrest in the contest between the King and Parliament, and aided by Captain Richard Ingle, master of an armed vessel which traded between England and Maryland, he in 1645 stirred up what is known in Maryland history as Claiborne and Ingle's Rebellion, in which first Kent Island and then the whole Province were seized and a temporary Government was set up, compelling Governor Leonard Calvert to take refuge in Virginia. But the Governor raised a force there for the restoration of his authority, with which he came up the Bay in the latter part of 1646. In this force John Jarbo, as the name is written in the earlier, and many later, pages of the *Maryland Archives*, enlisted. He was a native of Dijon, France,¹ and according to a deposition made by him 6 August 1657² and another made 21 June 1659³ was born in or about 1619. In a deposition 25 January 1647/8 he says he was with Governor Calvert at Kicotan (Kecoughtan, afterwards Elizabeth City,) and at York, Virginia, when the Gov-

¹ *Archives of Maryland* (printed), Proceedings of the Assembly 1666-1676, p. 144.

² *Archives of Maryland* (printed), Provincial Court 1649/50-1657, p. 537.

³ *Archives of Maryland* (original), Provincial Court Mch. 1658-Nov. 1662, p. 312.

ernor was organizing his expedition.⁴ When and under what circumstances he came to Virginia does not appear. On 29 December 1646 Jarbo and others make affidavit as to the terms which Governor Calvert had made with his soldiers, viz. that "if he should find the Inhabitants of St. Maries had accepted his pardon for their former rebellion and weare in obedience to his Lo^{rp} the Souldiers weare to expect no pillage there but he would receave the inhabitants in peace and only take aid from them to the reduceing of Kent."⁵ He found no opposition in lower Maryland, but had some difficulty in reducing Kent Island—Claiborne's stronghold.

Coming thus into the Province, a soldier and an alien, John Jarbo took the oath of fealty (to the Lord Proprietary) 2 January 1646/7.⁶ A suit brought in the Provincial Court 5 January 1647/8 by Jn^o Garbo (note the indication of the French sound of the J,) against Mrs. Marg. Brent, his Lordship's Attorney, for "sallary this yeare," and settled, was probably for pay as a soldier when or after so coming from Virginia.⁷ And he held rank in the military service afterwards. In the organization of the militia of the Province by the Council 3 June 1658 commissions were ordered to Captain William Evans and Lieutenant John Jarbo "of all forces from Poplar Hill inclusively to Wicacomaco River," and Lieutenant Jarbo's commission (which was used as the form for Lieutenants' commissions afterwards,) from Governor Josias Fendall as Captain General was dated 15 June.⁸ And on 31 October 1660 Caecilius Lord Baltimore, acting by his (half) brother Governor Philip Calvert, commissioned William Evans Colonel

⁴ *Archives of Maryland* (printed), Provincial Court 1637-1650, p. 368.

⁵ *Archives of Maryland* (printed), Proceedings of the Assembly 1637/8-1664, p. 209.

⁶ *Archives of Maryland* (printed), Proceedings of the Council 1636-1667, p. 174.

⁷ *Archives of Maryland* (printed), Provincial Court 1637-1650, pp. 362, 364.

⁸ *Archives of Maryland* (printed), Proceedings of the Council 1636-1667, pp. 344, 346.

and John Jarbo Lieutenant Colonel of the Regiment of trained bands in St. Mary's County.⁹ He is always afterwards styled in the *Archives* Lieutenant Colonel. On 10 February 1667/8 he was ordered to "press" 23 men out of his Company and conduct them to East St. Mary's, the rendezvous for an expedition against the Nanticoke Indians on the Eastern Shore.¹⁰ Whether he took any further part in the expedition is not known. He probably participated in the conflict at Providence (Annapolis) 25 March 1654/5 between Governor Stone's forces and the government which had been set up under the authority of the English Parliament and the Lord Protector Cromwell for the "reduction" of Maryland, for in October 1655 he was, by the Provincial Court, then a part of that temporary administration, fined 1000 pounds of tobacco for "acting with Capt. William Stone in the late Rebellion against the present government"; the lightness of the penalty is said by the Court to be because of his having been drawn into that engagement not willingly as he pleaded.¹¹

He seems to have given offence in some way soon after his coming to Maryland, for on 6 August 1650 Caecilius Lord Baltimore writes to Governor William Stone and the Upper and Lower Houses of Assembly (with other matter) censuring John Jarbo, "one unto whom We wished well" and "who hath formerly well meritted of us and our deare brother deceased," for some disrespectful conduct to the Governor.¹² But he was evidently soon received into favor again.

By the first "Conditions of Plantations," declared by Lord Baltimore 8 August 1636,¹³ the Governor was authorized to grant land, subject to a small quit rent, to every Adventurer

⁹ *Archives of Maryland* (printed), Proceedings of the Council 1636-1667, p. 392.

¹⁰ *Archives of Maryland* (printed), Proceedings of the Council 1667-1687/8, pp. 21, 23.

¹¹ *Archives of Maryland* (printed), Provincial Court 1649/50-1657, p. 429.

¹² *Archives of Maryland* (printed), Proceedings of the Assembly 1637/8-1664, p. 318.

¹³ *Archives of Maryland* (printed), Proceedings of the Council 1636-1667, p. 47.

into the Colony, but in the second Conditions, 10 November 1641,¹⁴ and the third, 12 August 1648,¹⁵ and the fourth, 2 July 1649,¹⁶ this right of immigrants to take up land was restricted to persons of British or Irish descent—except that in a Commission annexed to the third Conditions Lord Baltimore, reciting that as well divers French men as some people of other nations who were not capable of having any lands in the Province are already seated or may hereafter with permission seat themselves there, authorizes the Governor to grant to such persons of French, Dutch or Italian descent lands on the same terms as if of British or Irish descent. But shortly after coming into the Colony and before Lord Baltimore's above authorization Jarbo and Lieutenant William Evans (under whom he had probably served in the expedition and with whom he was closely associated afterwards,) on 19 November 1647 demanded 200 acres of land for transporting themselves into the Province at their own charges in 1646 and 200 acres "applied to them by the right of Walter Peake, planter"—probably an assignment of Peake's right as an immigrant to take up land—and a warrant was issued to the Surveyor to lay out for them 400 acres in the Isle of Kent "sometime in possession of John Abbotte."¹⁷ And on 28 August 1649 Lord Baltimore writes from London, reciting a letter to him from Jarbo and the warrant to Evans and Jarbo who had rendered faithful service to Governor Leonard Calvert in the late war for the recovery of the Province and who were in danger of the land being taken away from them and directing that a grant of it be passed to them.¹⁸ This land on Kent Island, which Lord Baltimore says in his letter had belonged to John

¹⁴ *Archives of Maryland* (printed), Proceedings of the Council 1636-1667, p. 99.

¹⁵ *Archives of Maryland* (printed), Proceedings of the Council 1636-1667, p. 221.

¹⁶ *Archives of Maryland* (printed), Proceedings of the Council, 1636-1667, p. 233.

¹⁷ *Maryland Historical Magazine*, Vol. 6, p. 372; quoting Land Office Records Liber L. O. R., No. 2, p. 99, also recorded Liber A. B. and H., p. 5.

¹⁸ *Maryland Historical Magazine*, Vol. 9, p. 294; see also Vol. 3, p. 161.

Abbot but had been forfeited by rebellion, was sold by Evans and Jarbo 20 November 1660.¹⁹

But whether because of an insecure possession of their Kent Island tract or of a preference to settle in the more congenial predominant Catholic community of Southern Maryland, Evans and Jarbo had, on 1 December 1648, demanded 100 acres for each for transporting themselves into the Province in 1646, and on the same day a warrant was issued to the Surveyor to lay out 100 acres for (each of?) them on Bretton's Bay (St. Mary's County), which warrant was returned executed 16 March 1648/9 by the laying out of 100(?) acres on the West side of that Bay.²⁰ And subsequently Jarbo had several warrants for tracts of land for bringing persons into the Colony or acquiring the rights of others, all of which seem to have been located in the lower part of St. Mary's County.²¹ And his Will indicates other dealings in lands. As early as 20 October 1648, in the acknowledgment of a Deed of Gift of a cow to a child of Walter Peake to advance her a portion "John Garbo" is said to be of New-Town,²² and he probably lived in that neighborhood the rest of his life. Newtown, in Newtown Hundred, St. Mary's County, is mentioned in the *Archives* down to the middle of the 18th century but is not on Griffith's map of Maryland in 1794. It was on or near Bretton's (now Britain's) Bay below Leonardtown²³ and the County Court was held there in some years. In November 1661 William Bretton gave 1½ acres for the building of a Catholic Church there or in the vicinity²⁴ and it is probable that Lieutenant Colonel Jarboe, with other Catholics of the community, is buried there.

¹⁹ *Maryland Historical Magazine*, Vol. 8, p. 17.

²⁰ *Maryland Historical Magazine*, Vol. 7, pp. 194, 311; Land Office Records Liber A. B. and H., pp. 12, 19, and Liber L. O. R., No. 2, pp. 440, 469, 479.

²¹ *Maryland Historical Magazine*, Vol. 3, p. 166, Vol. 7, p. 392, Liber L. O. R., No. 2, p. 543, Liber A. B. and H., pp. 179, 186, 241, 310, 321, and Liber No. 9, p. 262, &c.

²² *Maryland Archives*, Provincial Court 1637-1650, p. 428.

²³ It may be mentioned incidentally that Leonardtown, formerly Seymour Town, was laid out by Act of Assembly in 1728; *Archives*, Vol. 36, p. 286.

²⁴ Provincial Court Records Mch. 1658-Nov. 1662 (original), p. 1026.

On 30 July 1661 Lord Baltimore, by Governor Philip Calvert, declared John Jarboe, "subject of the Crowne of france," to be a "free Dennizen" of Maryland with the same rights as if born in the Province.²⁵ And this being, perhaps, not sufficient Jarboe, with others, in April or May 1666 petitions Lord Baltimore, reciting the Declaration of 2 July 1649 in favor of persons not of British or Irish descent and praying for an Act of Assembly giving to the Petitioners the same rights as if born in Maryland or of British or Irish descent, which is assented to by the Upper and Lower Houses²⁶ and either in that shape was treated as an Act of Assembly or if a formal Act was passed it does not appear in the *Archives*—probably because a Private Act. And as some laws were intended to be temporary and others permanent in their operation, in 1675 the "Act of 1666" naturalizing Jarboe and others was ratified and confirmed to stand until amended or repealed;²⁷ and so again in April 1684.²⁸

On 22 March 1663/4 he was commissioned a Justice of the Peace for St. Mary's County and appears so acting afterwards in 1664, 1665 and 1666.²⁹ The office was an important one in Colonial times. The Justices composed the County Court, a certain number being designated as of the quorum, without the presence of one of whom a sitting of the Court could not be had—unless a Member of the Council was present.

On 24 April 1667 he was, by Caecilius Lord Baltimore, acting by Governor Charles Calvert his son (afterwards 3rd Lord), commissioned High Sheriff of St. Mary's County, and was reappointed in 1668.³⁰ He appears as Sheriff as late as 16 February 1668/9.³¹

On 19 May 1674 or "soon after," he appears as a Delegate

²⁵ *Archives of Maryland*, Proceedings of the Council 1636-1667, p. 431.

²⁶ *Archives of Maryland*, Proceedings of the Assembly 1666-1676, p. 144.

²⁷ *Archives of Maryland*, Proceedings of the Assembly 1666-1676, p. 549.

²⁸ *Archives of Maryland*, Proceedings of the Assembly 1684-1692, p. 79.

²⁹ *Archives of Maryland*, Proceedings of the Council 1636-1669, pp. 490, 503, 514, 516, 518, 540.

³⁰ *Archives of Maryland*, Proceedings of the Council 1667-1687/8, pp. 4, 26.

³¹ *Archives of Maryland*, Proceedings of the Assembly 1666-1676, p. 155.

for St. Mary's County to the Lower House of Assembly, having been elected at some time before and he is also present at the next February Session 1674/5.³² But he died before 19 May 1676.³³

There is no reasonable doubt that he married Mary Tettershall, probably sister of William Tettershall, both of whom, Catholics, came from Wiltshire, England, in 1648 and took up land in Jarboe's neighborhood.³⁴ In his Will (Baldwin's *Calendar of Maryland Wills*, Vol. 1, page 54), William Tettershall calls Lieut. Col. John Jarboe his brother, and while it is sometimes difficult to determine from early Maryland Wills which of two brothers in law (often called "brothers"), married the other's sister, it can hardly be supposed that the French adventurer, Jarboe, had a sister in the Colony.

In 1671 he had made a Will in writing. But he had "another Sonne & daughter" born after that, and on 4 March 1674/5, being extremely ill, he was visited by his friend (and compatriot, from Rouen, France,³⁵) John Jourdain, who advised him "to settle his affairs." And thereupon Jarboe requested him to send for Mr. Edward Clarke to come the Friday following and draw a new Will, and "in case God Almighty should take him before he could make his Will in writing" he stated to Jourdain what his testamentary intentions were and bade him take notice that such was his Will.³⁶ On Petition of Chancellor Philip Calvert and John Jourdain, who Jarboe had appointed to manage the estates of his children, this nuncupative³⁷ Will was sustained and validated by the Assembly.³⁸ It is set out in full in the reference in note 36

³² *Archives of Maryland*, Proceedings of the Assembly 1666-1676, pp. 345, 421, 440, 452.

³³ *Archives of Maryland*, Proceedings of the Assembly 1666-1676, p. 481.

³⁴ "Day Star of American Freedom," by George L. L. Davis, p. 187; *Maryland Historical Magazine*, Vol. 7, p. 388.

³⁵ *Archives of Maryland*, Proceedings of the Assembly 1666-1676, p. 205.

³⁶ *Archives of Maryland*, Proceedings of the Assembly 1666-1676, p. 517.

³⁷ Not written—by word of mouth.

³⁸ *Archives*, Proceedings of the Assembly 1666-1676, pp. 481, 484. See also Proceedings of the same 1678-1683, p. 85, and 1684-1692, pp. 14, 63, 79.

above and an abstract (with mention of the older written Will) is in Baldwin's *Calendar of Maryland Wills*, Vol. 1, page 89, but the date is there erroneously printed 4 March 1664, which should be 1674, and the statement that 2 sons were born after the earlier Will should be a son and a daughter.

He left surviving him his Wife, Mary, 3 sons, John, Peter and Henry, and a daughter, Mary. To John he devised the "Seate of land where he then lived," subject to the right of his Wife to live there, and also his right to 150 acres of the mill land; to Peter he gave 300 acres by St. Laurence Creeke in Brittain's Bay; and to Henry he gave 500 acres on the branches of the same Creek. He devised no real estate to his daughter Mary, because "she had some land to be made good to her by Marke Cordea and Walter Hall, gentlemen." The Will of John Jarbo (Junior), dated 14 October 1704 and proved 16 May 1705, will be found abstracted in Baldwin's *Calendar*, Vol. 3, page 60; the Will of Peter Jarboe, dated 3 March 1697/8 and proved 7 April 1698, is in Vol. 2, page 137, and the Will of Henry Jarboe, dated 18 March 1708/9 and proved 18 April 1709, is in Vol. 3, page 133. Mary Jarboe, the daughter, probably married first Major William Boarman and second John Sanders—see under Major William Boarman.

7. MAJOR WILLIAM BOARMAN.

The earliest appearance of William Boarman (often written Boreman) in the printed *Maryland Archives* is on 13 June 1649 when he is witness to a Deed or Will, and he is a witness also on 19 November and 25 February (Old Style) of the same year.³⁹ Whence, when or how he came into the Colony does not appear. In a deposition made by him 28 May 1650 he is said to be then "aged about 20^{ty} years" and he says that about 1645 in the war raised by Richard Ingle against the Government of the Province⁴⁰ he, with others, was taken prisoner by an adherent of Ingle "at the taking and plunder-

³⁹ *Archives*, Provincial Court 1637-1650, pp. 519, 532, 548.

⁴⁰ For Claiborne and Ingle's Rebellion see under Jarboe above.

ing of Mr. Copleyes House at Portoback and brought downe to St. Maries." ⁴¹ And in a deposition made by him on 4 February 1651/2 he seems to have been not long before that on Kent Island—probably only temporarily. ⁴²

On 5 October 1655 in the Provincial Court "William Boreman confeseth that he is a Roman Catholic and that he was borne and bred So," and the Court—then a part of the administration of the government temporarily set up by Commissioners appointed by the Puritan Commonwealth in England—convicted him of "compliance with Capt. William Stone in the last Rebellion," ⁴³ but on his submitting himself to the mercy of the Court, "remitted the public offence and only amerced him to pay 1000 pounds of tobacco towards the damage Sustained by the said Rebellion." ⁴⁴ He was probably in the conflict between the forces of Governor Stone and those of this temporary government at Providence (Annapolis) on 25 March 1654/5.

A Commission as Captain was ordered by the Council to be issued to William Boreman on 12 October 1661, ⁴⁵ but "Captain William Boreman" had on the 24th of April before been ordered to press 4 men of his Company for service in Indian troubles at the head of the Bay. ⁴⁶ And on 10 January 1667 he was directed to raise 20 men out of his Company to take part in an expedition against hostile Indians. ⁴⁷ A petition on 12 September 1666 of "divers inhabitants and Souldiers of Charles County that the Governor would displace Capt. W^m Boreman whom was lately constituted Capt. of the militia," had a rough reception in the Council and the 5 first named petitioners were cited to appear at the next meeting of the Provincial Court and answer for contempt. ⁴⁸ The Government

⁴¹ *Archives*, Provincial Court 1649/50-1657, p. 12.

⁴² *Archives*, Provincial Court 1649/50-1657, p. 150.

⁴³ See under Jarboe.

⁴⁴ *Archives*, Provincial Court 1649/50-1657, pp. 426, 427.

⁴⁵ *Archives*, Proceedings of the Council 1636-1667, p. 435.

⁴⁶ *Archives*, Proceedings of the Council 1636-1667, p. 411.

⁴⁷ *Archives*, Proceedings of the Council 1667-1687/8, p. 22.

⁴⁸ *Archives*, Proceedings of the Council 1636-1667, p. 556.

often resented any criticism of exercise of its prerogative. He is called Captain until 1676 when and always afterwards he is styled Major.⁴⁹ On 17 August 1676 Major Boarman was ordered to divide his Company into 2 equal parts, he to retain command of one part and Captain Doyne to have the other.⁵⁰ He was still in command of his Company 14 March 1681/2.⁵¹

On 22 March 1663/4 the County Court of St. Mary's County "humbly requested" the appointment of Capt. W^m Boareman and 5 others to be additional Justices of the Peace for St. Mary's County and Commissions were so ordered by the Council.⁵² He was re-commissioned on 5 September 1664,⁵³ and appears sitting in the County Court in March 1664/5;⁵⁴ he was again appointed on 27 July 1666,⁵⁵ and also on 2 March 1675 (to be of the quorum,) on 30 April 1677,⁵⁶ on 8 March 1678,⁵⁷ and probably on 30 May 1685.⁵⁸ And on 13 October 1671 he was commissioned by Governor Charles Calvert (afterwards 3rd Lord Baltimore) a Coroner for the upper parts of St. Mary's County.⁵⁹

On 27 March 1671 Captain William Boarman appears as a Delegate for St. Mary's County to the Lower House of Assembly and at the succeeding Sessions in October of the same year and May 1674 and February 1674/5.⁶⁰

On 10 March 1678/9 Major William Boareman was appointed by the Governor and Council Sheriff of St. Mary's County and he appears so acting as High Sheriff in June, July,

⁴⁹ *Archives*, Proceedings of the Council 1671-1681, p. 78, &c.

⁵⁰ *Archives*, Proceedings of the Council 1671-1681, p. 124.

⁵¹ *Archives*, Proceedings of the Council 1681-1685/6, p. 88.

⁵² *Archives*, Proceedings of the Council 1636-1667, p. 490.

⁵³ *Archives*, Proceedings of the Council 1636-1667, p. 503.

⁵⁴ *Archives*, Proceedings of the Council 1636-1667, p. 514.

⁵⁵ *Archives*, Proceedings of the Council 1636-1667, p. 553.

⁵⁶ *Archives*, Proceedings of the Council 1671-1681, pp. 66, 153.

⁵⁷ *Archives*, Proceedings of the Council 1671-1681, p. 224.

⁵⁸ *Archives*, Proceedings of the Council 1681-1685/6, p. 379.

⁵⁹ *Archives*, Proceedings of the Council 1667-1687/8, p. 97.

⁶⁰ *Archives*, Proceedings of the Assembly 1666-1676, pp. 239, 311, 345, 421 and other pages.

August, October 1681 and March 1681/2.⁶¹ On 2 May 1682 his successor is appointed.⁶²

By Act of Assembly passed at the October-November Session 1683 he was appointed one of Commissioners to lay out Towns, Ports and places in St. Mary's County.⁶³

But Major Boarman's activities in the community were more particularly in connection with Indian affairs. As early as 1638 the Assembly had passed an Act reciting that the licensing trade with the Indians was a prerogative of the Lord Proprietary and imposing a penalty on any one who should so trade without such license.⁶⁴ On 24 January 1661/2 Captain William Boreman had from Caecilius Lord Baltimore a Commission or License for one year, he paying to the Lord Proprietary one tenth in weight or value of all commodities so traded for.⁶⁵ And a like License was given to "Capt. Wm Boareman Gentⁿ" on 25 March 1663/4, on which day he filed his bond to comply with the provisions of the license.⁶⁶ In 1682 an Act was proposed allowing free trading without a license at certain places of which Major Boarman's house in St. Mary's County was one, but it was probably not acceptable to Lord Baltimore.⁶⁷ Major Boarman's services were very frequently availed of by the Government in its relations and dealings with the Indians. On 15 December 1668 he was appointed by the Council to assist in laying out lands to be set apart for the sole and separate occupation of certain tribes.⁶⁸ He seems to have been the regular Indian Interpreter for the Government ("the only Interpreter we have had to rely upon and accordingly sent for on all occasions")⁶⁹ and its agent for

⁶¹ *Archives*, Proceedings of the Council 1671-1681, pp. 232, 356, 388, 401, 402, 404, 419, and Proceedings of same 1681-1685/6, pp. 47, 67, 82, 87.

⁶² *Archives*, Proceedings of the Council 1681-1685/6, p. 93.

⁶³ *Archives*, Proceedings of the Assembly 1678-1683, p. 610.

⁶⁴ *Archives*, Proceedings of the Assembly 1637/8-1664, p. 42.

⁶⁵ *Archives*, Proceedings of the Council 1636-1667, p. 446.

⁶⁶ *Archives*, Proceedings of the Council 1636-1667, p. 472.

⁶⁷ *Archives*, Proceedings of the Assembly 1678-1683, pp. 382, 431.

⁶⁸ *Archives*, Proceedings of the Assembly 1667-1687/8, p. 35.

⁶⁹ *Archives*, Proceedings of the Assembly 1678-1683, p. 158.

conducting parties of them to the seat of Government for treaty making and on other business. For his activities, mostly in Indian matters, see other references in the note below.⁷⁰

But in May 1704 when it was proposed in the Lower House of Assembly to use his services in ascertaining and laying out the bounds of the lands of the Piscataway Indians, it was objected that he was "a deafe old man" whose recollection could not be trusted.⁷¹

There was a William Boarman Jr. whom it is sometimes difficult to distinguish from Major Boarman in the records; he was probably not a son but a near kinsman.

Major Boarman's public offices were, as shown above for St. Mary's County, but he seems to have removed at some time to Charles County.

He probably — almost certainly — married Mary Jarboe, daughter of Lieutenant Colonel John Jarboe.

His Will, dated 16 May 1708, with a Codicil 17 January 1708/9, came up from Charles County to Annapolis and is recorded in the Prerogative Office Records (now in the Land Office), in Liber I C-W B No. 2, page 108; an abstract is in Baldwin's *Calendar*, Vol. 3, page 140. He devised lands to his Wife Mary for life and to his six children, Benedict, Baptist, Francis Ignatius, Mary and Clare Boarman and Ann Brooke. The devise of the dwelling plantation, "Boarman's Rest," to his son Benedict was on condition that he keep in repair the Chapel standing on it, and "to the intent that his soul be remembered after his decease at the most holy sacrifice of the altar," he gave to the Church 1000 pounds of tobacco—the usual substitute for Maryland currency at a certain valuation. His widow, Mary, married 2nd John Sanders and her Will, dated 12 March 1733/4, proved 17 December 1739 and re-

⁷⁰ *Archives*, Proceedings of the Assembly 1666-1676, pp. 505, 508, 514; 1678-1683, pp. 102, 163, 227; *Archives*, Proceedings of the Council 1667-1687/8, p. 493; 1671-1681, pp. 78, 92, 99, 126, 179, 185, 188, 218, 221, 232, 234, 330, 356, 359, 377, 380, 417; 1687/8-1693, pp. 77, 85, 88, 90, 224; 1681-1685/6, p. 6.

⁷¹ *Archives*, Proceedings of the Assembly 1700-1704, pp. 30, 31, 73, 79, 86.

corded Liber D. D. No. 1, page 119, mentions her same Boarman sons and daughters, Mary Slye⁷² and Clare Shirbin, omitting Ann Brooke and adding another daughter, Elizabeth Hamozly—probably by her 2nd husband.

Dr. Christopher Johnston's article on the Brooke family in the *Maryland Historical Magazine*, Vol. 1, pages 184, 185, 284, 287, shows several Boarman and Brooke marriages. See also Vol. 5, page 195.

THE LIFE OF THOMAS JOHNSON

EDWARD S. DELAPLAINE

PART SEVENTH

CHAPTER XI

FOUNDER OF A NEW RÉGIME

The Second Continental Congress was still in session when one of the members, after bidding good-bye to his associates at the State House, set out from Philadelphia. Down through dense forests and over roads almost impassable, he pushes his way toward the South. His stature is a trifle under normal size. On his cheeks a color glows, matching his hair of reddish brown. He is as active as a man of 21, but in reality he is twice that age. Solemn of countenance but sanguine in spirit, he is overflowing with Rooseveltian energy and enthusiasm. Six weeks ago we saw him on the floor of the Congress, with Rutledge, Jay, Wilson and Lee, urging the House to advise the Convention of Massachusetts Bay to assume the functions of Government. He is now approaching Annapolis as fast as his horse can bring him, fired with zeal to inspire the Maryland

⁷² Mary Boarman md. 1st John Gardiner, 2nd Gerard Slye of Bushwood, St. Mary's County.

Convention immediately to follow the same advice. No one hoped more ardently for peace than Delegate Thomas Johnson; but the general course of events was against reconciliation upon a firm basis of constitutional freedom. And so, Johnson was eager to teach the people of his own Colony the gospel of Opposition by force of arms to the British Crown.

Mr. Johnson had been away from home the greater part of three months. Arriving in Annapolis July 26, 1775, he beheld the capital throbbing with bustle and excitement. The Maryland Convention was ready to convene the same day, and deputies were arriving from all sections of the Province to attend the momentous session.

As the Provincial Convention opened, Thomas Johnson, by this time regarded as one of the most influential statesmen in all the United Colonies, took his seat as a Deputy from Anne Arundel County. It is natural to suppose that on the first day of the session, devoted mainly to preliminaries of organization, Mr. Johnson and his colleagues from Philadelphia were heralded with hearty cheers and sought for information and advice.

On the second day, the Convention proceeded without delay to business and appointed a committee "to consider of the ways and means to put this Province into the best state of defence." Johnson and his colleagues—Tilghman, Paca, Chase, Goldsborough and Stone—were placed on this important committee together with Charles Carroll of Carrollton, Charles Carroll, barrister, and James Hollyday—men equally signalized for their influence, general ability and devotion to the common cause.

To the general subject of preparation for war the committee devoted two weeks of careful thought and discussion. The members often assembled at daybreak, Mr. Johnson says, and continued work until darkness brought out their candles. Finally, on the 9th of August, they reached a decision. The Convention accepting their report, passed the following flaming resolutions:

“ The long premeditated, and now avowed, design of the British Government to raise a revenue from the property of the Colonists without their consent, on the gift, grant and disposition of the Commons of Great Britain; the arbitrary and vindicative statutes passed under color of punishing a riot, to subdue by military force and by famine the Massachusetts Bay; the unlimited power assumed by Parliament to alter the Charter of that Province and the Constitution of all the Colonies, thereby destroying the essential securities of the lives, liberties and properties of the Colonists; the commencement of hostilities by the ministerial forces and the cruel prosecution of the War against the people of the Massachusetts Bay, followed by General Gage’s Proclamation declaring almost the whole of the inhabitants of the United Colonies, by name or description, *rebels* and *traitors*—are sufficient causes to arm a free people in defence of their liberty and to justify resistance, no longer dictated by prudence merely, but by necessity, and leave no alternative but base submission or manly opposition to uncontrollable tyranny. The Congress chose the latter, and for the express purpose of securing and defending the United Colonies and preserving them in safety against all attempts to carry the above-mentioned acts into execution by force of arms,

“ *Resolved*, That the said Colonies be immediately put into a state of defence and now supports, at the joint expence, an Army to restrain the further violence and repel the future attacks of a disappointed and exasperated Enemy.

“ We, therefore, inhabitants of the Province of Maryland, firmly persuaded that it is necessary and justifiable to repel force by force, do approve of the Opposition by Arms to the British troops, employed to enforce obedience to the late acts and statutes of the British Parliament, for raising a revenue in America, and altering and changing the Charter and Constitution of the Massachusetts Bay, and for destroying the essential securities for the lives, liberties and properties of the subjects in the United Colonies.

“ And we do unite and associate, as one band, and firmly and

solemnly engage and pledge ourselves to each other, and to America, that we will, to the utmost of our power, promote and support the present Opposition, carrying on, as well by Arms as by the Continental Association, restraining our commerce.

“And as in these times of public danger and until a reconciliation with Great Britain on constitutional principles is effected (an event we most ardently wish may soon take place) the energy of government may be greatly impaired, so that even zeal unrestrained may be productive of anarchy and confusion; we do in like manner unite, associate and solemnly engage in maintenance of good order and the public peace to support the civil power in the due execution of the laws, so far as may be consistent with the present plan of Opposition, and to defend with our utmost power all persons from every species of outrage to ourselves or their property, and to prevent any punishment from being inflicted on any offenders other than such as shall be adjudged by the civil magistrate, Continental Congress, our Convention, Council of Safety, or Committees of Observation.”

This *Association of the Freemen of Maryland*, as it was called, was a Declaration of Rights for a new régime. It was signed by the deputies in Convention assembled on Monday, August 14, 1775, after which it was distributed throughout the Colony to be signed as a pledge of loyalty to the patriot cause. On the same day, just before adjournment, sixteen members of a Council of Safety were chosen to carry on the government until the close of the next succeeding Convention. The provisional machinery was now complete and, as we shall see, was soon to be put in motion.

A few days later Mr. Johnson sent off to Major-General Horatio Gates a lengthy letter in which, after stating his views concerning the Petition to George III, he explained how there was no longer any “real force or efficacy” in the Proprietary Government of Maryland for the reason that during the recess of the Convention the Council of Safety was to have the “supreme direction.” As Mr. Johnson was one of the leading figures in the Convention and was selected one of the members

of the Council of Safety, let us secure first-hand information of the condition of affairs existing in Maryland at that time by reading Johnson's own words. This is what he writes to the Major-General under date of August 18, 1775:

[*Johnson to Major-General Gates*]

"I shall be very unhappy that petitioning the King, to which measure I was a friend, should give you or any one else attached to the cause of America and liberty the least uneasiness. You and I, and America in general, may almost universally wish in the first place to establish our liberties; our second wish is a reunion with Great Britain; so may we preserve the empire entire, and the constitutional liberty, founded in whiggish principles handed down to us by our ancestors. In order to strengthen ourselves to accomplish these great ends, we ought, in my opinion, to conduct ourselves so as to unite America and divide Britain; this, as it appears to me, may most likely be effected by doing rather more than less in the peaceable line, than would be required if our petition is rejected with contempt, which I think most likely. Will not our friends in England be still more exasperated against the Court? And will not our very moderate men on this side of the water be compelled to own the necessity of opposing force to force? The rejection of the New York petition was very serviceable to America. If our petition should be granted, the troops will be recalled, the obnoxious acts repealed, and we restored to the footing of 1763. If the petition should not be granted, but so far attended to as to lay the ground-work of a negotiation, Britain must, I think, be ruined by the delay; if she subdues us at all, it must be by a violent and sudden exertion of her force; and if we can keep up a strong party in England, headed by such characters as Lord Chatham and the others in the present opposition, Bute, Mansfield and North, and a corrupt majority cannot draw the British force fully into action against us. Our friends will certainly continue such as long as they see we do not desire to break from a reasonable and beneficial

connection with the mother country; but if, unhappily for the whole Empire, they should once be convinced by our conduct that we design to break from that connection, I am apprehensive they will thenceforth become our most dangerous enemies—the greatest and first law of self-preservation will justify, nay compel it. The cunning Scotchman and Lord North fully feel the force of this reasoning; hence their industry to make it believed in England that we have a scheme of Independence, a general term they equivocally use, to signify to the friends of liberty a breaking off of all connection, and to Tories that we dispute the supremacy of Parliament. In the Declaratory Act is the power of binding us by its acts, in all cases whatever—the latter we do most certainly dispute, and I trust shall successfully fight against with the approbation of every honest Englishman. Lord North's proposition, and consequent resolution of Parliament, were insidiously devised to wear the face of peace, and embarrass us in the choice of evils—either to accept and be slaves, or reject and increase the number and power of our enemies. I flatter myself that your petition will present to him only a choice of means injurious to his villainous schemes.

“Our Convention met the very day of my getting home; the meeting was very full; we sat close many days, by six o'clock in the morning, and by candle light in the evening. Our people were very prompt to do everything desired; they have appropriated £100,000 for the defence of this Province, a great part of it to be laid out in the military line immediately, part contingently, and the rest for establishing manufactories of salt, saltpetre, and gunpowder.

“We have an association, ascertaining the necessity and justifiableness of repelling force by force, to be universally signed; and strict resolutions with regard to our militia, which is to be as comprehensive here as perhaps in any country in the world, when called into action. We are to be subject to the Congressional rules and regulations for the army. A Committee of Safety, composed of sixteen, is, in the recess of the Convention, to have the supreme direction. We yet retain the

forms of our Government, but there is no real force or efficacy in it; if the intelligence we have from England looks towards war, I dare say this Province will not hesitate to discharge all officers, and go boldly into it at once.

“ I have not lately heard anything particular from Virginia that can be depended on; their convention has had a long setting, and I have no doubt but spirited measures, becoming themselves, and adequate to their circumstances, are adopted. We have the pleasure, now and then, to hear of your successful skirmishes. I long to hear that you have all your riflemen, and am particularly anxious as to their conduct. The spirit has run through our young men so much, that if the business proceeds, notwithstanding the scarcity of men in this and the other Southern Provinces, I believe we must furnish you with a battalion or two; if, as I hope, those who are gone acquire reputation, many of our youth will be on fire. The difficulty now is to regulate and direct the spirit of the people at large; and I verily believe that, instead of their being discouraged by a check on our military achievements, a sore rub would inflame them nearly to madness and desperation. I have already solicited your notice of several young gentlemen from Maryland: Lieut. Griffith and Daniel Dorsey, volunteers with Captain Price's, and Frederick Ridgely with Capt. Cresap's company, are all young men of connection with us; their fathers, with whom I have an intimacy and friendship, are ambitious that they should be regarded by you, and desire I should make a favorable mention of them with that view. You must not be surprised, the rank you hold in the opinion of my countrymen must make you the military father of the Maryland youth; I have not a personal acquaintance with these three young gentlemen, but their passion for the service is a powerful recommendation.”

Horatio Gates, like Generals Lee, Conway and Montgomery, was a native of England and had fought under the British flag. Fame came to him later on the capture of Burgoyne, but his laurels were undeserved, for he never stirred from camp dur-

ing the two bloody battles from which he won renown. General Gates goes down in American history as a selfish, small-souled and conceited man. If Thomas Johnson saw with prophetic vision the future career of Charles Lee, albeit he failed absolutely to gauge the character of Horatio Gates. Mr. Johnson would never have characterized General Gates, as he did, "the military father of the Maryland youth" had he known that Gates was destined later to conspire with General Lee to oust his beloved friend, Washington, from his high command at the head of the American forces. As it was, Horatio Gates, in his despicable effort to undermine General Washington, lighted a fuse to a bomb which, had it not been extinguished, would have shivered the United Colonies into fragments.

Whether by design or accident, the personal communication which Mr. Johnson forwarded to Major-General Gates met with wide publicity. "The letter" (from Johnson to General Gates), says Scharf,²⁷ "created a considerable stir in the Colonies at the time, and in England it was published in nearly all the papers of the day." All of which seems to indicate not only the lack of censorship in "the times that tried men's souls," but also the high regard in which were held the opinions of Thomas Johnson, Jr., on both sides of the Atlantic.

On Tuesday, August 29, 1775, when the Council of Safety assembled for the first time under the new régime, Mr. Johnson appeared as one of the members from the Western Shore. Each shore of Maryland had been given eight members on the Council. The Western Shore representatives, in addition to Mr. Johnson, were Chase, Paca, Alexander and Stone, Daniel of St. Thomas Jenifer, Carroll of Carrollton, and Carroll, barrister. The Eastern Shoremen on the Council were Tilghman, Goldsborough, James Hollyday, Henry Hooper, John Beale Bordley, Thomas Smyth, and Edward and Richard Lloyd. From the Western Shore, on the day of organization, came Johnson, Chase, Paca, Alexander, Jenifer and the Car-

²⁷ J. Thomas Scharf, *History of Maryland*, Vol. II, 186.

rolls. James Hollyday and Edward Lloyd, from the peninsula, made up the quorum. All of the nine took the oath prescribed by the Convention. The absence of Mr. Bordley was explained by a letter in which he promised to exert every effort as a private individual in the interest of his country but declined his appointment to the Council of Safety for the reason that he felt unable to measure up to the expectations of the Convention in the discharge of the duties of the office.

There lay before Mr. Johnson a mass of work to be done on the Council of Safety. On the last day of August, for example, he was authorized to purchase "stocks, steel ramrods, bayonets, double screws, priming wires, and brushes, and brass mounting for 500 musquets." And on the first day of September he was authorized to contract for the manufacture of not more than 1000 "good substantial proved musquets."

But at the time of his appointment to the Council of Safety, Mr. Johnson was also reappointed to the Continental Congress. The time soon arrived when the work on the Council must be assigned to his colleagues. The Treasurer of the Western Shore had been ordered to pay 500 pounds common money to Johnson, Chase, Paca, Stone and Hall and the Treasurer of the Eastern Shore 200 pounds to Tilghman and Goldsborough in order to defray their expenses in attending the approaching session. "Any three or more of them," the Convention decreed, "have full and ample power to consent and agree to all measures, which such Congress shall deem necessary and effectual to obtain a redress of American grievances."

Feeling relieved that the important task of organizing the provisional régime had been accomplished, Mr. Johnson left Annapolis early in September and once more started on his way to Philadelphia.

CHAPTER XII

A DEBATER IN CONGRESS

The successful effort made by Delegate Thomas Johnson to win for Washington the appointment of Commander-in-Chief

during the Revolution will no doubt be regarded forever by the American people as the chief claim to renown of the first Governor of Maryland. Nevertheless there were many other outstanding features of Johnson's career in the Continental Congress which justly entitle him to National distinction. During the First and Second Congresses the need of the hour was the keen, thoughtful, analytical mind coupled with a bold, fluent pen. With such attainments Mr. Johnson was richly endowed. We have already seen how he was sought frequently to take an active part in drafting those early state papers which won the admiration of the British statesmen who at that time adorned the London Court.

The most important work of the legislators assembled at Philadelphia, it seems, up to this time was the preparation by select committees of remonstrances and resolutions. But when Johnson stepped forward on Wednesday, September 13, 1775, to present his credentials as delegate from Maryland, he entered upon a new period in his career as member of the Continental Congress. From now on, the scene of most arduous work at the State House changed from the committee room to the floor of the House. Hardly had Delegate Johnson been sworn in before he jumped into the debate concerning the purchase of clothing for the little army of shreds and patches, over which Washington had been called to assume supreme command. Winter was approaching and Thomas Mifflin, whom Washington had appointed Quartermaster-General, applied at the door of Congress for a supply of woolen goods. The controversy arose over Mifflin's application. A motion was made by Delegate Nelson to advance Quartermaster-General Mifflin £5,000 Sterling with which to buy clothing for the Continentals. Mr. Sherman, of Connecticut, offered an amendment that any soldier should be allowed to supply himself in a different way, if he so desired. At that point Mr. Read arose to explain that there was already on hand a large supply of clothing in Massachusetts; whereupon Sherman declared that he was in favor of an investigation into the prices of goods as well as the needs of

the American Army along this line. Apprehending the danger in unnecessary delay and with a view to placate the dissentient delegates, Delegate Thomas Johnson arose and addressed the Chair. He admitted that the United Colonies had no centralization of purchasing authority. "We don't know," said he,²⁸ "what has been supplied by Massachusetts; what from Rhode Island; what from New York; or what from Connecticut." But in a spirit of compromise, the Maryland delegate offered a motion to limit the amount to be spent for supplies to £5,000. Sherman's proposal to investigate the needs of the Continentals was defeated, and to this extent Johnson was satisfied. But Johnson's suggestion that the amount of expenditure should not be definitely set, but should be *limited* to £5,000, seems not to have been vigorously pushed, for on September 23, Congress resolved that a quantity of woollen goods, to the value of £5,000, be advanced to Quartermaster-General Mifflin for the purpose of sale to the privates at prime cost and charges, including a commission of five per cent. to the quartermasters-general for their trouble.²⁹

But while Mr. Johnson henceforward took a more conspicuous part in the debates on the floor of Congress, he still received a number of important committee assignments. On Monday, September 25, after Congress had been advised that claims were arriving somewhat different from the bills referred to the Committee of Accounts for liquidation, Johnson's ability in "trade as well as the law" was again recognized: he was chosen to represent Maryland on the reorganized Committee of Claims, composed of one member from each Colony. This Committee was charged with the duty of examining all accounts against the Continent.

Again, the same week—on September 30—after Congress had decided to send Benjamin Harrison, Thomas Lynch and Dr. Franklin on a northern trip to confer with General Washington and with a number of officials in the New England Colonies, "touching the most effectual method of continuing,

²⁸ Adams, *Works*, Vol. II, 38.

²⁹ Adams, *Works*, Vol. II, 38.

supporting and regulating a Continental Army," Mr. Johnson was chosen—along with Samuel Adams, Robert R. Livingston, Richard Henry Lee and John Rutledge—to draw up a set of instructions for the three members who were about to start on the journey.

Mr. Johnson had also been serving since September 22 on a committee "to take into consideration the state of the trade of America." This was a committee of seven, the other members being Silas Deane (Connecticut), John Jay (New York), Benjamin Franklin and Thomas Willing (Pennsylvania), Peyton Randolph (Virginia), and John Rutledge (South Carolina). The committee reported on the last day of September. It was not, however, until October 4 that Congress resolved itself into a Committee of the Whole to consider the trade of the Colonies—particularly the scheme of non-exportation, to which there had arisen considerable objection. The First Continental Congress, we have seen, after adopting the plan of non-importation, resolved that exportation to Great Britain, Ireland and the West Indies should cease September 10, 1775, unless the grievances against which the American people complained were redressed before that time.

Among all the advocates in Congress of firm adherence to the policy of non-exportation, there was none more stanch than Delegate Johnson. The British Ministry and the Imperial Parliament had firmly held their ground, and the valiant Maryland statesman, taking the floor of Congress, avowed his violent opposition to any plan that would weaken the barriers against commerce with the parent realm. At the same time, he made a strong plea in favor of building up the American merchant marine.

"I am in favor of the Resolutions on Imports and Exports standing until further order of Congress," said Mr. Johnson.³⁰ "But I am not in favor of giving up our (water) carriage. While it may not concern the planter, the community as a whole is vitally interested in knowing who are the exporters. If our

³⁰ Adams, *Works*, Vol. II, 452.

carriers are owned by foreigners and manned by foreign seamen; then the shipwright, the hemp-grower, the rope-maker, the shipbuilder, the profits of the merchants—all are lost! I am for the Report standing. I am in favor of continuing the American Association."

Mr. R. R. Livingston took issue with the delegate from Maryland. He declared that he could not see a single advantage in bottling up the American ports. On the contrary, he pointed out the many injuries that would result from such a policy. Non-exportation, said the New Yorker, was destructive to the farmers as well as to the merchants; and therefore would bring decay to business in the American Colonies. "I believe," he cried, "that the Non-Exportation Agreement should immediately be repealed."

When Livingston concluded, Mr. Johnson arose to explain that he did not favor making the terms of the Non-Exportation Agreement any more rigid than they already were.

"In the winter," said Johnson, "our merchants will venture out to foreign counties. And in the event that Parliament should order the seizure of American merchant ships, the United Colonies can organize a Navy to guard and protect the American vessels. Foreign nations could be invited to assist in protecting their own commerce. If we allow the Non-Exportation Agreement to remain as it is now, we can obtain powder by way of New York, the lower counties and North Carolina."

Delegate Willing, of Pennsylvania, warned that American paper would lose its circulation and credit, if commerce were stopped. Whereupon Richard Henry Lee declared that foreign nations should be invited to come to the New World to aid in exporting goods for America. Mr. Chase advocated an adherence to the American Association, asserting that he was in favor of postponing the question for further discussion. The Resolutions finally passed Congress November 1, 1775.

Another debate in which Mr. Johnson participated at this

session revolved upon the attitude Congress ought properly to assume toward Lord Dunmore, deposed Governor of Virginia. The King's authority was overthrown throughout the Colonies in the summer and autumn of 1775. Nowhere in America did the Royal Governor exhibit such rank vindictiveness and cause so much alarm, when the Provisional Government was established, as in Virginia. Crazed with anger and spite, Governor Dunmore fled upon a man-of-war; and, supported by a considerable fleet, cruised up and down the coast, burning and ravaging towns and plantations. Toward the close of September, Dunmore ordered a bombardment of Hampton Roads; but a hundred Culpeper County men came to the rescue, and so deadly was their fire that the Dunmore boats were almost totally dismantled. Three vessels were sunk. Two drifted ashore and were captured. Left with only a few loyalist troops, the Royal Governor in a rage ordered all able-bodied men to repair to his standard under pain of forfeiture and death; and offered freedom to all negro slaves and indented whites who would enlist under his banner. From these slaves was organized and equipped "Lord Dunmore's Ethiopian Regiment."

It was on October 6, 1775, that a resolution was offered in the Continental Congress recommending that each Colony seize all persons whose "going at large" might endanger the safety of the Colony or the liberties of America. The resolution was aimed at Lord Dunmore. Delegate Chase described how Dunmore had been committing hostilities along the coast of Virginia and had begun to extend his piracies into Maryland. Mr. Chase said that although the Governor should have been seized months ago, Virginia did not possess a Naval force and was unable to raise one. Accordingly, Chase said, the request contained in the resolution would amount to nothing in the Old Dominion but a "mere piece of paper." Therefore he opposed the resolution. Mr. Zubly also opposed it, but for other reasons. He predicted that the seizure of the King's representatives would so enrage the British officials that they would conduct hostilities in the Colonies with greater intensity. Mr. Dyer, on the contrary, said it was impossible to irritate the people in

England any more than they were already and that they had fully decided on the destruction of America.

At that point up rose the little Marylander. Cool and collected, Mr. Johnson began his argument by admitting that Lord Dunmore was "a very bad man," and then went on to describe the details of some of Gov. Dunmore's piracies south of the Potomac. But instead of criticizing the people of Virginia, as Mr. Chase had done, for being unable to raise a naval force, Johnson diplomatically explained that the Virginia Convention, after due consideration, had elected the plan of "defensive conduct" toward Dunmore instead of a campaign offensive. "I am for leaving it to Virginia," declared the representative from Maryland.

Mr. Johnson continued with the following statement which rings with righteous conviction:

"We ought not to lay down a rule in a passion. I see less and less prospect of a reconciliation every day; but I would not render it impossible. If we should render it impossible, our Colony would take it into their own hands, and make concessions inconsistent with the rights of America. North Carolina, Virginia, Pennsylvania, New York, at least, have strong parties in each of them of that mind. This would make a disunion. Five or six weeks will give us the final determination of the people of Great Britain. Not a Governor on the Continent has the real power, but some have the shadow of it. A renunciation of all connection with Great Britain will be understood by a step of this kind. Thirteen Colonies connected with Great Britain in sixteen months have been brought to an armed opposition to the claims of Great Britain. The line we have pursued has been the line we ought to have pursued; if what we have done had been proposed two years ago, four Colonies would not have been for it. Suppose we had a dozen Crown officers in our possession, have we determined what to do with them? Shall we hang them?"

When Mr. Johnson took his seat, Richard Henry Lee arose to thunder a reply. Ridiculing the Marylander's plea for

delay, the Cicero of Virginia interrogated whether the Colonists had acted fast enough when they allowed the red coats to fortify themselves in Boston. "If six weeks will furnish *decisive* information," he cried in derision, "the same may bring *decisive* destruction to Maryland and Virginia!"

Wythe, of Virginia, stated that the reason why the Virginia Convention had not essayed to capture Governor Dunmore was "a reverence for this Congress." Delegate Wythe said he was unable to see how the seizure of the Royal Governors would produce any more hostility on the part of Great Britain than had already been exhibited. And if Maryland wants to share in the glory of seizing Dunmore, he said, Virginia will gladly share this honor with her sister Colony.

Once more addressing the Chair, Mr. Johnson asserted that as far as he was concerned, Virginia could have unrestricted permission to capture the frenzied nobleman; but he was opposed to the resolution for the reason that it dictated to Virginia the course she had to follow. Furthermore, declared Johnson, he did not include himself in the same class with those who opposed the arrest of the Crown Governors from a fear that such action would be followed by reprisals.

"Maryland," he cried, "does not regard the connection with Great Britain as the first good!"

Thomas Johnson indicated plainly that he was ready to take any step necessary to protect America and her liberties. Johnson's arguments made a deep impression upon the members of Congress. His colleague, Mr. Stone, echoed his thought by suggesting that it might possibly be best to signify to Virginia that "it will not be disagreeable to us, if they secure Lord Dunmore." Whereupon Mr. Johnson's ideas were incorporated in an amendment providing that Congress should advise the Virginia Council of Safety to take any measures deemed proper to secure the Colony from the practices of Lord Dunmore.

From the course of this debate, it is apparent that Johnson took a conservative stand, holding in mind the possibility of reconciliation. At the same time he rendered a service to the

House by telling the members how to escape from the paths of controversy and delay. That his views concerning Lord Dunmore and the Old Dominion were regarded with great respect by the members of the House is evident from the fact that he was selected as one of a committee of five out of the whole assembly "to enquire into the state of the Colony of Virginia, to consider whether any and what provisions may be necessary for its defence, and to report the same to the Congress." The five members were chosen on November 10, his associates being Samuel Adams of Massachusetts, James Wilson of Pennsylvania, Samuel Ward of Rhode Island, and Thomas Lynch of South Carolina.

It was not long before the Continentals came to aid the Virginia Militia in an effort to drive Lord Dunmore from the waters of Virginia. When they arrived in December, 1775, Dunmore escaped to his fleet; but a few weeks later, remaining close off shore in search of revenge, warned the American soldiers to send him provisions and to stop firing on his vessels. The Americans refused; and for two days and nights Dunmore bombarded Norfolk until the town was wiped out of existence. In the summer of 1776, Dunmore's camp was broken up by General Andrew Lewis. Dunmore later offered his services to the British naval forces at New York, and his negroes were sent to the West Indies to be sold in slavery to the Spaniards.

During November, 1775, Delegate Johnson was placed by Congress on a number of important committees. On the 16th of that month, he was assigned to a committee of seven, one of whom was Thomas Jefferson, to consider "sundry papers from the General Court of the Colony of Massachusetts Bay." On the 17th, he was chosen on a committee of the same size, along with John Adams, Dr. Franklin and others, to consider a communication from the Commander-in-Chief with reference to the disposition of British vessels and their cargoes captured in Canada. On the 23d, he was selected — with Sherman, Lynch, Lee and Samuel Adams—to investigate frauds alleged to have existed in connection with certain contracts with the

Continent; and on the same day he was appointed—together with Wythe, Jay, Edward Rutledge, Samuel Adams, Jefferson and Franklin—to investigate reports that various persons in the Quaker City had refused to accept bills emitted by the Pennsylvania Assembly and by order of the Continental Congress.

But probably the most important of all the assignments which the Annapolis lawyer received at this session of Congress came to him on Wednesday, November 29. His appointment on this day came in pursuance of the following resolution:

“Resolved, That a committee of five be appointed for the sole purpose of corresponding with our friends in Great Britain, Ireland, and other parts of the world; and that they lay their correspondence before Congress when directed.

“Resolved, That this Congress will make provision to defray all such expenses as may arise by carrying on such correspondence, and for the payment of such agents as the said committee may send on this service.”

Mr. Johnson's colleagues on this committee were Benjamin Harrison (Virginia), John Dickinson and Dr. Franklin (Pennsylvania), and John Jay (New York). Charged with complete authority to conduct diplomatic correspondence and to employ confidential “agents” in the Courts of Europe, the members of the committee determined at the beginning upon a policy of rigid censorship. The five delegates were accordingly called by their colleagues at Philadelphia “The Secret Committee,” and their names are inscribed in the Secret Journals of Congress, published in 1820 under the direction of the President. Here, on these early Journals of Foreign Affairs, more than seven months before the birth of the Nation, is to be found the germ of American Diplomacy.

(To be continued)

CONRAD ALEXANDRE GÉRARD

We are under obligations to Miss Elizabeth S. Kite, of Philadelphia, author of "Beaumarchais and the War of American Independence," for the following interesting extracts from the *Archives historiques du Ministère des Affaires Etrangères*.

Gérard was born at Massevaux, Upper Alsace, in 1729 and died in Strasburg, in April, 1790. As a young man he entered the diplomatic service, serving as secretary of legation at Mannheim, in 1753-59 and at Vienna in 1761-66. In the latter year he became secretary of the council of state and chief clerk in the Bureau of Foreign Affairs. In 1778, acting under Vergennes, he conducted negotiations with Franklin, Deane and Lee, the result of which was the treaty of 6 February 1778, by the terms of which France sided with the United States. In the following month he sailed to America as first French Minister to the United States. Gérard had taken the leading part in the negotiations of the treaty of alliance and of the treaty of commerce, which is the reason of his being chosen (M. Rigault's statement). Owing to ill-health, he was in November, 1779 succeeded by Luzerne. He advocated a close alliance between France and the new nation, and to this end subsidized many writers and Congressmen. Yale conferred on him the degree of LL. D., and he was made a member of the American Philosophical Society. His portrait, for which he sat at the request of Congress, hangs in the State House in Philadelphia. After his return to his native country he was made a councillor of state.

On May 7, 1784, "the Sieur Gérard," together with other French officers, was made a member of the Society of the Cincinnati.

Hon. Henry Marchant, a delegate in Congress, in a letter to Governor William Greene, of Rhode Island, dated July 11,

1778, says: "I have but a few minutes before the express goes off, to inform you that a French fleet is arrived on this coast commanded by Count D'Estaing; one ship of 90 guns, four ships of 80 and two 74 and five of 64, and four frigates. Congress this day received a letter from the Admiral, dated Delaware Bay. The French Ambassador, Mons. Gérard, and Mr. Deane, in a frigate, are now coming up the river . . ." On the 14th of July he writes: "I had the honor of being present the last Sabbath at the most interesting interview that ever took place in America, or perhaps in the world, between Monsieur Gérard, the Plenipotentiary of France, and the President of Congress, on the part of the sovereign independent United States of America. This interview was most cordial, generous and noble. In my turn I had the honor of personally congratulating His Excellency upon his safe arrival, and giving him a hearty welcome to the United States of America."

Gérard writing to Vergennes, August 1778, says of Maryland: "Jealous of the influence of certain states claiming vast amounts of territory, uncertain of use that might be made of power, refused to join the confederacy, but professed firm adherence to the principles of Independence and devotion to the alliance. . . . Two deputies from this state have assured me of the loyal adherence of their state to the terms of the treaty. I must do them the justice to say that no state has been so exact in paying its taxes, in convoking its military and in holding its contingent of the Army complete. Often the brigades from Maryland have had twice the strength of the other states."¹

A little later: "The deputies from Maryland announced

¹ Report 46, p. 16.

Du 14 Décembre 1778

"Les deux Deputés de Maryland qui sont ici sont venus chez moi et m'ont confirmé formellement les assurances que l'un d'eux m'avait données à titre de confiances. Leur état desire que le Roi soit convaincu de leur attachement invariable à l'indépendance et à l'alliance heureuse que les Etats-unis ont contractée avec Sa Majesté. . . . Je lui dois en effet la justice de dire qu' aucun autre état n'a été aussi exact à payer ses taxes à convoquer sa milice et à tenir son contingent à l'armée complet. Souvent les Brigades de Maryland étaient fortes du double des autres."

that the state unanimously applauded the treaties between the King and the United States."

On November 10, 1778, he writes: "Congress is at present embarrassed with the choice of a new President. . . . For that office a man active and talented is required and with a fortune that would permit him to make some appearance. Mr. Carroll of Maryland is the one thought of—he is a Roman Catholic—but it is feared he will not accept."²

March 10th, 1779, when the struggle between the party of the opposition in Congress with that which he designates as the "well-intentioned" was at its height, Gérard writes to Vergennes: "The deputies of Maryland oppose with their whole force the resolution (regarding the fisheries) and have declared that Maryland will never eede to measures which would expose the general security of the Republic to the private interests of a single or small number of states; that the mass of American forces could not be employed except in the common interests of all, and that Maryland would never aeeede to the Confederacy under similar auspices, nor expose herself to receive the law or to see violated the fundamental principles of the Union of the Confederate Republic."

² P. 6. . . . "Le congrès est embarrassé du choix d'un nouveau Président. . . . Il faut pour cette place un homme actif et à talents, dont la fortune permette de la (as written in transcript) représentation. Les vocux se réunissent sur M. Carrol du Maryland, Catholique romain, mais on doute qu'il vcuille accepter."

THE OLD INDIAN ROAD¹

WILLIAM B. MARYE

PART III

On November the 18th, 1743, there was surveyed for William Cross of Baltimore County a tract of land called "Cross's Lott" which contained twenty-three acres and is thus described: ". . . lying on the east side of Patapsco Falls . . . beginning at a bounded hickory and two bounded red oaks

¹The author finds it imperative to correct a number of errors which have appeared in the foregoing installments of this article:

One of the most serious is the mistake in a date—March 1783/9, instead of March 1738/9—which will be found on page 220 of the September number of the past year in connection with the petition of Samuel Owings and others.

In the same number, on page 209, the mistake of a word—*from* instead of *to*—makes the order of court describing the Court Road, which is to divide the Upper Hundred of Patapsco from the new hundred of Soldiers Delight, read: "which leads *from* Edward Reestons by Mr. Richard Gists house," instead of "which leads *to* Edward Reestons by Mr. Richard Gists house." The correct reading might well appear to have a different significance from the incorrect one, making it seem as if Edward Reeston lived between Richard Gist's and Ben's Run on the Court Road; but the fact remains that, so far as the records show, Reeston lived east of Gist on the Court Road. The frequent ambiguity of these old records must be taken into account. The author himself is to blame for this error, which was made in taking a copy of the record from the court proceedings.

The statement made in the June number of the past year (p. 109, note 3), that only three tracts of land are known to have been laid out within the limits of the present Carroll County before 1732 must be modified. Two tracts of somewhat over a thousand acres each were laid out in 1731 on Beaverdam Run, a branch of Little Pipe Creek. They were: "Gather's Chance," surveyed for Benjamin Gather, and "Ivy Church," surveyed for John Williams. Another early tract, which may lie within the limits of Carroll County, was "Breeches," containing 100 acres, surveyed for John Williams in 1729, and lying on a branch of Sams Creek.

The reference in note 7 of the September number (p. 209) should be to the *Maryland Journal and Baltimore Advertiser*.

standing at the head of a branch on the east side of Patapsco Falls contiguous to the Indian Road."

A tract of fifty acres called "The Level Bottom," surveyed for William Hall of Baltimore County July 10th, 1744, is described as situated ". . . upon the Main Falls of Patapsco River . . . beginning at a bounded hickory and a bounded chestnut tree standing by the Indian Road on the west side of Patapsco Falls. . . ."

The two above tracts were conveyed by William Cross to Samuel Laine or Lane on January 10th, 1756. (Baltimore County Land Records, Liber B. B., No. 1, f. 493-4.)

On April 1st, 1755, (the contradiction of dates remains to be explained) "Level Bottom" was resurveyed for Samuel Lane, with the addition of 120 acres vacancy, and called "Lane's Bottoms and Hills." The resurvey is described as lying "in Baltimore County on the north fork of the main falls of Patapsco River, beginning at two bounded cherry trees standing in the place (as the said Samuel Lane says) where formerly stood a bounded hickory and a bounded chestnut tree, the original bounded trees of the original survey, being by the Indian Road on the west side of the said falls. . . ."

On the 25th of February, 1757, Samuel Lane sold to (Captain) William Rogers of Baltimore County 82 acres out of "Lane's Bottoms and Hills," containing the whole of the original "Level Bottom," and beginning at the original beginning of "Level Bottom."

In the will of Captain William Rogers, dated June 5th, 1761, the testator bequeaths to his daughter Eleanor Rogers "all the several tracts or parts of tracts of land I may die possessed of lying on or near Patapsco falls and the old Indian road. . . ." Eleanor Rogers married Clement Brooke of Baltimore County, a descendant of the well-known Brooke family of Calvert County.

The lands which Captain Rogers intended to bequeath to his daughter Eleanor consisted apparently of two parcells, namely: his part of "Lane's Bottoms and Hills," which, as we have

seen, lay on the Indian Road, and an adjoining tract called "Rogers' Bottom." The certificate of survey of "Rogers' Bottom" is accompanied by an extract from the will of Captain Rogers of the testator's bequest to his daughter Eleanor of lands on Patapsco Falls and the old Indian Road, which shows that "Rogers' Bottom" was taken to be one of the tracts to which allusion was thus made.

In the year 1765 Clement Brooke and Eleanor his wife caused a resurvey to be made on their part of "Lane's Bottoms and Hills," which they called "Brooke's Adventure"; and on September 20th, 1770, they had a resurvey made on "Brooke's Adventure," which they called "Brooke's New Adventure." The last-mentioned survey which contains 623 acres, is bounded by the following tracts: "Buck Range" (later resurveyed and called "Castle Rising"), "Hales Venture Resurveyed," "Bond's Forest," "Barbadoes," "Stevens Folly," "Blindfold," "Lane's Desire," "Poor Scrivener's Folly" (a resurvey on part of "Flagg Meadow"), "Daniel's Delight," "Rogers' Bottom," "Lane's Neglect," part of "Lane's Bottoms and Hills" in the possession of John Helm, "Dutton's Desire" and "Helm's Chance Resurveyed."²

"Brooke's New Adventure" lies, for the most part, on the west side of the north fork of Patapsco Falls between the Falls and a run known as Roaring Run. The original beginning of

² A deed from William Brooke Stokes (grandson of Clement and Eleanor Brooke) to William Rogers Brooke in the year 1809 conveys all the real estate which had belonged to Clement Brooke, deceased, in Baltimore County, including "Brooke's New Adventure," "Tricks and Things," "Castle Rising," "Daniel's Delight," "Peter's Choice," "Dutton's Desire," "Rogers' Bottom," part of "Barbadoes" and "Friends Good Will." All of these tracts, with the possible exception of "Friends Good Will," lie together on Patapsco Falls, and contain in all something over a thousand acres. A plat of "Brooke's New Adventure" and adjacent tracts will be found in Liber W. G. No. 107, f. 157, of the Baltimore County Land Records. The author has prepared a large map of tracts lying adjacent to or in the same locality as "Brooke's New Adventure," with particular reference to those lying westward of this tract, and including "Flag Meadow" and other surveys which lie on Beaver Dam Run (now Beaver Run) of Patapsco Falls.

"Level Bottom" on the Indian Road, which was also the beginning of "Lane's Bottoms and Hills," of "Brooke's Adventure" and of "Brooke's New Adventure," probably lies in the near vicinity of Lawndale on the west side of the Falls.³

"Cross's Lott," which, as we have already seen, also lies on the Indian Road, begins about half a mile or a little more south-east of the beginning of "Level Bottom." This tract is bounded by "Tricks and Things," by "Poor Scrivener's Folly," and by that part of "Lane's Bottoms and Hills" which was not sold to William Rogers.

In the vicinity of Lawndale, on either side of Patapsco Falls, traces of the Old Indian Road survived, through use, into modern times. On January the 9th, 1899, a petition was presented to the Board of Commissioners of Carroll County by James A. Clark and fifty-nine others "to open and locate a road known as the Indian Road and to run as follows: beginning at point on the public road known as the Sandyville and Patapsco Road between the lands of William H. Westaway and John Sloop, thence between the lands of the same on or near the bed of an old road known as the Indian Road and following the bed of the said Indian Road, thence between the lands of Elisha Slater and said Westaway, thence between the lands of E. Nelson Blizzard and Denton H. Leister, thence between the lands of said Blizzard and Nathaniel Bay, thence between the

³The beginning of "Level Bottom" lies approximately due east about two miles from the original beginning of "Bond's Forest," surveyed for Thomas Bond, described as being situated "on the north side of a spring descending into a run called the Roaring Run, a branch of Patapsco Falls." It lies approximately north seventy degrees east a mile and a half, or a little less, from a small tract called "Game Plenty," which is described as beginning "at a rock stone on a ridge near a draft of the Great Falls of Patapsco called the Roaring Run." "Bond's Forest," as resurveyed, bounds on the western end of "Brooke's New Adventure." "Game Plenty" also touches "Brooke's New Adventure" on the west. A point on Patapsco Falls about one and three-eighths miles below the beginning of "Level Bottom" is distant slightly less than a mile from Beaver Dam Run. To satisfy these and other conditions I think that the beginning of "Level Bottom" should be located a short distance west of Patapsco Falls and not far above Lawndale.

lands of said Bay and Lewis H. Wisner, thence between the lands of said Bay and Oliver T. Uhler to a point where the said Indian Road intersects the Public Road known as the Tank Road, then following the bed of the said Tank Road between the lands of the said Bay and the Public School Grounds; thence between the lands of the said Bay and James A. Clark to a point where the said Indian Road leaves the said Tank Road, thence between the lands of Mrs. Mable J. Wareheim and the said Clark to the land of John L. Stull, thence through the land of the said Stull on or near the bed of the said Indian Road to the land of the said Clark, thence through the land of the said Clark on the bed of the said Indian Road to a point near the Western Maryland Railroad, thence to the southwest of the said Clark's Lawn⁴ to the bed of the said Indian Road, thence through the land of the said Clark on the bed of the said Indian Road to the land of William H. Bond, thence through the land of the said Bond on the bed of the said Indian Road to a point where the said Indian Road connects with the Public Road known as the Emory Chapel and Glens Falls Road." (Carroll County Road Book, Vol. 2, f. 335 et seq.)

The foregoing petition was granted, and the road was surveyed on May 27th, 1899, and found to be 909 2/10 perches in length.

On November 27th, 1908, a petition was presented to the Commissioners of Carroll County by Denton H. Leister and eighteen others "to alter the location of the County Public Road known as the Indian Road as heretofore opened and located upon the petition of James A. Clark and others upon an order of your honorable body passed thereon the 24th day of July, in the year 1899, so that the centre of the said road, opened and located as aforesaid, and between the lands of Denton H. Leister and Nelson Blizzard, shall be the centre of

⁴Mr. Francis Neale Parke of Westminster, through whose kindness the author became acquainted with this record, says that the "lawn" here mentioned is situated at Lawndale.

and on the bed of the Old Indian Road, etc." (Carroll County Road Book, Vol. 3, f. 105 et seq.) This petition was granted.

Mr. Francis Neal Parke of Westminster, to whom the author is indebted for knowledge of the above records, calls attention to the fact that maps of Carroll County earlier than 1899 do not show any public road as running between the Glen Falls and Emory Church road and the Sandyville and Patapsco Falls road; while later maps of the Maryland Geological Survey show such a road, which crosses Patapsco Falls at Lawndale, and runs along the divide between Roaring Run and Patapsco Falls. This road, therefore, is evidently a fragment of the Old Indian Road.⁵ The course of this road, and the implications which that course seem to make as to the further course of the Old Indian Road, in no way conflict with the course of

⁵How much more of the Old Indian Road existed in that part of Baltimore and Carroll Counties as late as 1899, or may still exist, the author is unaware. It is hardly to be supposed, however, that the fragment three miles in length, which in 1899 was made into a county road, was all of the Old Indian Road that had survived in those parts. It is obvious that the object of making over three miles of the Old Indian Road into a county road was to connect the Sandyville-Patapsco road with the Glen Falls-Emory Chapel road, not to clear the Indian Road as far as it could be traced.

The late Mr. Vachel Baseman Bennett of Baltimore, who was born near Reisterstown, and was descended from many of the oldest families of that part of Maryland, informed the author several years ago that when he was a boy the Old Indian Road was used as a short-cut by travellers going from Baltimore to Westminster, and was the shortest way into Westminster from the direction of Baltimore. It was a trail passable for horsemen, but not for wagons. It did not avoid steep hills but climbed them. Parts of it had been made into country roads. It crossed Patapsco Falls in several places. It was much used by travellers, who sometimes lost their way and came to Mr. Bennett's father's house for directions. Mr. Bennett's recollections as to the course of the Old Indian Road are at variance with what was certainly the true course of the road as determined from early records. He declared that it crossed the Falls at the old Ivy or Manalou Paper Mills, and rounded the hill called the Bunker. From there it made its way down through Soldiers Delight by a place called Bear's Hill to Ellicott City and to Elk Ridge. It is not impossible that there may have been a branch of the Old Indian Road which took such a course. With regard to what traditions existed in his boyhood as to the ultimate destination of the Old Indian Road, Mr. Bennett said that the road was supposed to go to Potomac River.

the Indian Road as determined either from the early records we have just examined, or from those which we will presently examine.

In the Proceedings of the Baltimore County Court for November, 1755, (Liber B. B., No. B., f. 390-391) will be found an order for the dividing of Soldiers Delight Hundred by the Old Indian Road:

“Ordered that Soldiers Delight Hundred (as it now stands) be divided into three hundreds as follows, vizt:”

“The lowest (still called Soldiers Delight Hundred) to be divided from the upper part by the Indian Road which comes across from Back River Upper Hundred near Dutton Lanes Sr. and leads to where James Dawkins lived on the Main Falls of Patapsco; then bounding down on the said Main Falls to Patapsco Upper Hundred.”

“A new hundred called Delaware Hundred⁶ begins where the old Indian Road crosses the Main Falls of Patapsco where James Dawkins lived and is divided or bounded to the northward by said Indian Road till it intersects Frederick County.”

“The other new hundred called Pipe Creek Hundred contains all that part of Baltimore County to the northward of the aforesaid Indian Road leading from the Great Falls of Patapsco where James Dawkins lived till it intersects Frederick County (not included in Middle River or Back River Upper Hundred).”⁷

⁶This name doubtless has some connection with the fact that the South Branch of Patapsco Falls seems to have been formerly known as the “Western or Delaware Falls” of Patapsco. “Sheredine’s Range,” surveyed 1746, lies on “the Delaware Falls, a branch of the Western Falls of Patapsco.” “Windsor Forest,” “Head Quarters,” and three tracts advertised for sale in the *Maryland Journal and Baltimore Advertiser*, October 26, 1779, are described as situated “On the main Western Fork of the Western or Delaware Falls of Patapsco River.” In November, 1757, Benjamin Whips was appointed overseer of the road “from Delaware Bottom to Dig’s Wagon Road then down that road to the Great falls of Patapsco” (Baltimore County Court Proceedings, “Sessions,” 1757-1759, November Session, 1757). Numerous other references could be cited.

⁷The words here quoted in parentheses are parts of the original record, not, as occasionally heretofore, the author’s notes.

It is unfortunate that, if any record exists of the laying off of Back River Upper Hundred, the author has been unable to discover it.⁸ It would be reasonable to suppose, on topographical grounds, that this hundred originally adjoined the Upper Hundred of Patapsco, and consequently lay adjacent on the east to Soldiers Delight Hundred, which, as we have already observed, was carved out of Patapsco Upper Hundred in 1733. In a deed bearing date July 4th, 1743, Christopher Gist, of Baltimore County, Gent., conveyed to William Hamilton, Samuel Owings, Christopher Randall and Nicholas Haile two acres of ground, part of "Adventure." According to this deed, the parties of the second part had been impowered by act of Assembly dated Sept. 21, 1742, to purchase land "and thereon to erect a chapell of ease for the forest inhabitants of Saint Pauls Parrish"; and by the same act of Assembly it was provided that on the death of the then incumbent of Saint Pauls Parrish the hundreds of Soldiers Delight and of Back River Upper Hundred were to be separated from Saint Pauls Parrish and erected into a new parrish called Saint Thomas Parrish. We are justified therefore in concluding that Back River Upper Hundred joined Soldiers Delight Hundred.

We have already noted the fact that Soldiers Delight Hundred, as originally laid off, was divided from Patapsco Upper Hundred by that section of the Court Road which lay between

⁸In the Baltimore County Court Proceedings, Liber —, 1730-1732, June, August and November Court, 1731, f. 159, the following references to Back River Upper Hundred occur—the earliest we have discovered: "Thomas Ford is appointed constable of the upper hundred of Back River for the ensuing year in the room of Solomon Hillen." "Lelah Barton is appointed constable of the Lower Hundred of Back River in the room of Solomon Hillen." "Dunkin Coleman is appointed constable for the upper hundred of Back River in the room of Thomas Ford who served in the said office since June." In the same book, f. 53, November Court, 1730, we find the following: "Solomon Hillen is appointed constable of Back River Hundred." In Liber I. W. S. No. 6, 1728-1730, f. 144, June Court, 1729, we find the following: "Ordered that William Parrishes taxables be taken from the Upper Hundred of Patapsco and added to Back River Hundred."

Edward Reeston's and Ben's Run; and we have endeavored to prove that Edward Reeston's place was on Jones Falls in the neighborhood of Rockland. There are certainly the best topographical reasons for assuming that the original dividing line between Patapsco Upper Hundred and Back River Upper Hundred was either Jones Falls or Herring Run, if, as is likely, the line followed a natural boundary. If Jones Falls was the boundary between the two hundreds, as it seems most probable that it was, the line no doubt extended northward from the Falls to the limits of the Province. If the line ran from the bend of the Falls at Brooklandville, it could not have passed farther east than the present village of Texas; while, if it ran from the source of the North Run, it must have skirted the eastern edge of the Worthington Valley, passing not far west of Mantua Mills. Our conclusion is that the Old Indian Road, on leaving Patapsco Falls at Lawndale, went at least as far to the eastward as a line drawn between the eastern end of the Worthington Valley and the source of the North Run.

According to the Baltimore County Debt Book for the year 1756, Dutton Lane was then possessed of the following tracts of land: "Beef Hall," "Pork Hall," "Spring Garden," "Coopers Ridge" (sometimes called "Copper Ridge"), "Good Will,"⁹ "Hale's Adventure," "Dutton's Desire," "Daniel's Delight" and "Tricks and Things."

These lands are situated as follows:

"Spring Garden," surveyed for Dutton Lane, is described as lying "at the head of the Piney Run of the Great Falls of Gunpowder River."¹⁰

"Dutton's Desire," "Daniel's Delight" and "Tricks and Things," all surveyed for Dutton Lane, the two former in 1753, and the latter in 1754, lie within a short distance one of

⁹This tract adjoins "Beef Hall." It appears that Dutton Lane never owned it, and that it was surveyed for his brother, John Lane, in 1731, who in 1757 sold a part of it to Samuel Hooker, and in his will, 1769, bequeathed the remainder to his son, John Bowen Lane.

¹⁰This land was not in the possession of Dutton Lane in 1755; for on February 15th, 1754, he conveyed it to Jacob Shilling, Jr.

another on Patapsco Falls in the neighborhood of Lawndale. "Dutton's Desire" bounds on that part of "Level Bottom" which lies on the Indian Road. "Daniel's Delight lies a short distance to the south east, and bounds on "Brooke's New Adventure," the tract in which "Level Bottom" was resurveyed. "Tricks and Things" begins at the beginning tree of "Cross's Lott," which, as we have seen, stood by the Indian Road.

The remaining tracts—"Pork Hall," "Beef Hall," "Hales Adventure" and "Copper Ridge" or "Coopers Ridge"—lie on either side of the old Hanover Road in the neighborhood of Woodensburg, and between Woodensburg and Emory Grove.¹¹

¹¹In an effort to locate these tracts the author has made a large map showing their relationship to one another and to adjoining surveys, such as "William Resurveyed," "Addition to Ellidges Farm," "Hookers Lasting Pasture," "Joshuas Lott," "Todds Forest," "Nicholson's Manor" and others. He has also consulted numerous modern deeds relating to these tracts, as well as maps which show the residents of that part of Baltimore County between 1850 and 1877.

The old Hanover Road originally went to Conewago Settlement (later Hanover Town) on Conewago Creek, in what was formerly Maryland. In August, 1737, the Baltimore County Court appointed Robert Owens "to clear the new road from Connawangoe down to Joseph Ellidges as Christopher Gist has marked it." (Court Proceedings, Liber H. W. S. No. I. A. 2, 1736-1738, f. 99) Joseph Ellidge's place was probably in the neighborhood of and not far above Woodensburg. Here the new road doubtless met a wagon road coming up from the Patapsco along the line of the present Reisterstown Road. We have elsewhere identified a road described in 1736 as the "wagon road . . . by George Ogg's" with the present Reisterstown Road. The order to clear the new road was carried out promptly; for a survey called "Stevens Hope," laid out for Samuel Stevens October 30th, 1737, is described as situated "between the branches of Pipe Creek and Gunpowder Falls at a place called the Dugg Hill, beginning at a bounded chestnut oak standing on the side of a hill to the eastward of the wagon road leading from Patapscoe to Connewangoe." In March, 1757, the inhabitants of Pipe Creek Hundred petitioned the Baltimore County Court to have a road cleared "from Frederick County line to the Conewago Road through the Fork of Patapsco Falls." (Sessions, 1757-1759, f. 61.) In 1769 Dutton Lane conveyed to John Davis and others one acre of land, part of "William Resurveyed," "beginning at a bounded chestnut tree standing on a hill called Huckleberry Hill and close on the west side of the Great Waggon Road that leads from Baltimore Town to Hanover Town." John Gibson, in his "History of York

By deed dated October 14th, 1757, Samuel Hooker conveyed to Dutton Lane a parcell of a tract called "William Resurveyed" containing 193 acres. This parcell is described as being bounded by "Copper Ridge," "Pork Hall," "Haile's Adventure" and "Beef Hall." By this purchase all the lands of Dutton Lane in that vicinity were united into one.¹²

In the Debt Book of Baltimore County for the year 1756 James Dawkins is credited with the two tracts: "Level Bottom" and "Cross's Lott," which, as we have heretofore shown,

County," p. 332, says that in 1766 the inhabitants of Manheim and Heidelberg Townships, York County, presented a petition to the effect that "the road from Conewago Settlement (now Hanover) to Baltimore Town was laid out thirty years before by order of Baltimore County Court, before the temporary line between the two provinces was run, and this was then thought to belong to Maryland; since the running of which line there is about ten miles on the north side of the line of as useful a road as perhaps any in the Province of Pennsylvania, and not on record in this Province." Gibson draws the conclusion that this was the first road laid out in the present York County; but, as we shall see later, he was mistaken.

¹²The connection of the Lane family with those lands which lie in the immediate vicinity of Woodensburg was long and intimate. John Lane surveyed "Good Will" in 1731, and held part of it until his death. "Dutton Lane" surveyed "William" September 28, 1732, but sold it to James Boring in 1737. "Copper Ridge" was surveyed for Dutton Lane and others in 1740. "Beef Hall" was surveyed for Dutton Lane in 1741; and in 1748 he purchased from Nicholas Haile "Haile's Adventure." In 1739 and 1741 Lane disposed of his lands on Back River; and in 1746 he sold to Charles Ridgely lands which lay near the site of Towson; so that it is probable that he took up his residence on the Woodensburg lands not later than the last mentioned date. In 1757 he purchased from Samuel Hooker part of "William Resurveyed" which united his lands in one tract. The same year Hooker conveyed to Dutton Lane, Jr., part of the same tract. In 1758 Dutton Lane the elder gave to his sons William, Thomas and Dutton Lane, Jr., parts of these tracts which lie on the Hanover Road; and in 1759 he gave to his daughter Mary Murray 100 acres out of these lands. In his will, dated 1783, Dutton Lane, Sr., bequeathed all the lands which remained in his possession to his daughters Mary (Murray) and Dinah (Gosnell), Dutton Lane, Jr., in his will, Feb. 16th, 1784, describes his "dwelling plantation" as "Hales Adventure" and part of "William Resurveyed." John Lane, brother of Dutton Lane, Sr., purchased part of "William Resurveyed" from Samuel Hooker in 1757. This and part of "Good Will" he left to his son John Bowen Lane, as already noted. He owned lands in other places, and these he bequeathed to his brother Dutton Lane.

lie on the Indian Road. Dawkins probably leased these lands, for the records indicate that at this time they belonged to Samuel Lane; but as far as I can find Dawkins had no claim on any other lands, and it was on one of these two tracts, on the Indian Road, that he evidently lived.

The foregoing record relative to the laying off of Soldiers Delight Hundred into new hundreds may be explained as follows:

The place where James Dawkins lived, where the Indian Road crossed Patapsco Falls, is no other than the fording-place of the Indian Road as determined from the location of "Level Bottom" and "Cross's Lott."

The record clearly indicates that Dutton Lane's place lay between the western limit of Back River Upper Hundred and the place on Patapsco Falls where James Dawkins lived. Therefore, when we come to choose between the group of tracts on Patapsco Falls¹³ and that in the vicinity of Woodensburg for the probable home of Dutton Lane, our choice falls on the latter.

In terms of modern topography we would therefore interpret this record to mean that the Old Indian Road crossed that section of Baltimore County lying between the Dover Road and Patapsco Falls (if it did not penetrate farther east), passing not far above or below Woodensburg, and fording the Falls near Lawndale. From Lawndale to the eastern limits of Frederick County, as they existed in 1756, the Indian Road became the dividing line between Delaware and Pipe Creek Hundreds.

The next point to the westward which can be determined as lying on the Indian Road is situated not much more than a mile south-west of the town of Westminster. In 1755 this point was within the eastern limits of Frederick County, so that

¹³ The three tracts on Patapsco Falls did not long remain in Dutton Lane's possession. In 1757 he made over "Daniel's Delight" and "Tricks and Things" to his son, Daniel Lane; and in 1759 he gave "Dutton's Desire" to his daughter Dinah Gosnell.

nothing is gained by our knowledge that the Indian Road ran into Frederick County.¹⁴ Between Lawndale on Patapsco Falls and the point beyond Westminster the Old Indian Road evidently followed the divides between Roaring Run and Beaver (Dam) Run, on the west, and Patapsco Falls on the east.¹⁵

A tract called "Gabriel's Choice," surveyed for Gabriel Mackenzie September 16th, 1743, is described as lying in Baltimore County, "beginning at two bounded white oaks standing on a plain near the Indian Road and near a branch of Little Pipe Creek, and running thence north twenty four degrees west twenty-four perches, north twenty degrees west fifty-six perches, north twenty-nine degrees east two hundred and fifty perches, south thirty degrees east seventy perches,

¹⁴One of the old boundary stones on the line between Baltimore County and Frederick County is said to be within the limits of Westminster. A map showing the supposed course of the line is given in "Maryland Geology," 1835. Scharf in his "History of Western Maryland," (Vol. I, p. 360) quotes the original description of the line as run in 1750.

¹⁵The author made every effort to discover evidences touching the line of demarcation between Delaware Hundred and Pipe Creek Hundred, as it was formerly recognised, which might in any way corroborate or weaken our theory that the Old Indian Road followed the Patapsco Falls-Roaring Run and Beaver Dam Run divide. The evidences collected in no way vitiate the theory, except in so far as they are inconclusive. A list of taxable persons in "Delaware Upper Hundred" for the year 1783 (Maryland Historical Society manuscript) and of the lands belonging to these persons contains the names of about a hundred and thirty-three tracts. "Delaware Upper Hundred" appears to have been a re-division of Delaware Hundred, and apparently lay between the South Branch of Patapsco Falls and Pipe Creek Hundred. Twenty-seven of these tracts could not be located at all, either because no tracts of known location were found which bounded upon them, because the descriptions in the surveys were too vague, or because popular names were used, and not the names under which they were patented. Of the remaining tracts twelve lie on or in the neighborhood of Timber Run or Locust Run on the east side of Patapsco Falls near Soldiers Delight. Why they were placed in Delaware Upper Hundred is not apparent, unless it was because the owners lived in that hundred. Their occurrence in the list does not, however, affect our theory. The remainder of the tracts—about ninety-four—lie between the north and south branches of Patapsco Falls across the valleys of Roaring Run, Beaver Dam Run, Middle Run and Piney Run. Some very large tracts—as "Caledonia" and "Rochester"—probably run over into what was Pipe Creek Hundred.

thence by a straight line to the beginning, containing one hundred acres." This tract was resurveyed for Gabriel Mackenzie on January 7th, 1755. Of the original survey forty-six acres were found to be deficient in an older survey, which is not named, but which I have ascertained to be "Small Addition," surveyed for John White, 1741, and later included in a resurvey called "Dear Bought." The resurvey on the original "Gabriel's Choice" was called "The Resurvey on Gabriel's Choice," and contained three hundred and fourteen acres. The greater part of this tract was conveyed by Mackenzie to Nicholas Rogers on April 19th, 1759. The resurvey is bounded by the following tracts, some of which had not been laid out at the time the resurvey was made: On the east lies "Dear Bought" (a resurvey on "Small Addition"), and "Children's Inheritance" (a resurvey on "The Resurvey on Jacob's Well") and "Narrow Bottom." On the south lies "The Resurvey on Stony Batter." On the north, west and south lies "York Company's Defense," surveyed for Michael Swoot, 1760. Neighboring surveys are: "Fell's Dale" (lying north-east, east and south-east); "White's Level" (lying north east) on which a part of Westminster stands; "Bond's Meadows Enlarged," which also contains a part of Westminster; "Long Valley" and "Williams Delight" (north west); "Arnold's Chance" (west); "Fell's Retirement" and "Poulson's Chance" (south west).

For the exact location of "Gabriel's Choice" the author is indebted to the kindness of Mr. Francis Neale Parke of Westminster, who, by very careful research in the land records of Carroll and Frederick Counties, has determined the situation of the third line of the original survey,¹⁶ as follows:

¹⁶ It should be noted that the third line of "Gabriel's Choice," as located by Mr. Parke, is nearly seventy-five perches short of the length of the original third line, vizt. north twenty-six and one-half degrees east one hundred and seventy-six and one-half perches, instead of north twenty-nine east two hundred and fifty perches. Variation of the compass will account for the difference in the courses.

In order to locate "Gabriel's Choice" Mr. Parke consulted the following deeds: William A. McKellip, trustee, to John Wagner (now Catherine Wagner), May 21, 1881, Liber F. T. S., No. 55, f. 270; Liber F. T. S.

"The third line of 'Gabriel's Choice' . . . is a line running in the same general direction as the public road from Westminster, through Spring Mills and Warfieldsburg, to Mount Airy, from a western boundary line of the land of George Rush (near Westminster) through the property of Carrie Meier (Myer), wife of Leopold Meier (Myer), and that of Alfred Mitten (now Schlosser) about one-third of a mile north-west from the said public road. . . . This line is about midway between the New Windsor Road and the road to Mount Airy, and is in what used to be called the 'Furnace Woods' or 'Furnace Hills,' where the crows had their roosting place for many years."¹⁷

Judging by the foregoing evidences, it seems likely that the beginning of "Gabriel's Choice" was in the immediate neighborhood of Spring Mills, probably, but not certainly, on the north side of Little Pipe Creek.

No reference to the Old Indian Road by that name has been found by the author in the records of lands lying west of Spring Mills, or between Spring Mills and Monocacy River; but it would appear that certain early allusions to a "Monocacy road" may have reference to the Indian Road under an unfamiliar name—a name which would be of assistance in proving what we have already suspected, that the Indian Road went to the Monocacy.

A tract called "Strawberry Plains," surveyed for Enoch Conly June 10th, 1732, and containing 100 acres, is described: "Beginning at a bounded beach standing in the fork of a run by the Monocacy Road, the said run descending into Little Pipe Creek."

"Fell's Retirement," surveyed for Edward Fell May 20th, 1741, is thus described: "Lying on the drafts of Little Pipe

No. 60, f. 523, Liber J. S. No. 5, f. 82; Liber W. W. No. 5, f. 359; Liber 42, f. 158; Liber 49, f. 318.

Mr. Parke has located the fifteenth line of "Gabriel's Choice Resurveyed" on Stevenson Hill, along the road from Westminster to Warfieldsburg.

¹⁷From a letter of Mr. Parke to Mr. Dielman, March 8th, 1920.

Creek, beginning at a bounded gum and poplar distant from each other about four feet in ye Fork of a branch called Conley's Branch descending into ye said creek; on ye south side of Monokosy Road, and to the east of Enock Conly's house, the said trees being the beginning of a tract of land called Arnold's Chance taken up by Arnold Livers."¹⁸

According to a map, which the author has made, of tracts lying west of "Resurvey on Gabriel's Choice," the beginning of "Fell's Retirement" should lie almost due west of the original beginning of "Gabriel's Choice," from which it is distant 560 perches, or about one and three-fourth miles. The beginning of "Strawberry Plains" lies west six or seven degrees north 700 perches or about two and one-fifth miles. Between the beginning of "Fell's Retirement" and that of "Strawberry Plains" the distance is about half a mile.¹⁹

¹⁸ "Arnold's Chance" was surveyed June 17th, 1739, and is described as beginning at a bounded tree standing "in the fork of a branch descending into Little Pipe Creek."

¹⁹ "Arnold's Chance" is bounded on the east by "Poulson's Chance," "York Company's Defense" and "Stony Hollow." "Fell's Retirement" is bounded on the north east by "Arnold's Chance" and by "Poulson's Chance," and on the east by "York Company's Defense." The descriptions of these various tracts in their certificates of survey, taken with that of "Gabriel's Choice Resurveyed," made it a simple matter to draw a plat of all of them, showing their locations with reference to each other. To locate "Strawberry Plains" was more difficult. I first ascertained the fact that Enock Conly surveyed no other tract in Maryland, and bought no land. This made it seem probable that his "dwelling house" referred to in the survey of "Fell's Retirement" was situated on "Strawberry Plains," that Conly's Branch derived its name from this fact, and that "Strawberry Plains" adjoined "Fell's Retirement." Both tracts, it will be further observed, are described as lying on a branch of Little Pipe Creek. I next observed that the 6th, 7th, 8th, 9th and 10th lines of "Fell's Retirement" are exactly the same, with respect to courses and distances, as the 3d, 4th, 5th, 6th and 7th lines of "Strawberry Plains," except that the 7th line of the latter is twelve perches longer than the 10th line of the former, a difference which does not prevent the two tracts from fitting together. On fitting them together, it is discovered that the beginning of "Fell's Retirement" lies not more than thirty-two perches from the sixth line of "Strawberry Plains." "Strawberry Plains" is bounded on the west by "Addition to Strawberry Plains," surveyed for Charles Carroll, 1750.

The above courses and distances, if they represented the actual situation of these tracts with reference to one another, would fix the beginning of "Fell's Retirement" on the south side of and near the main branch of Little Pipe Creek, not far west of Shriver's Mills, and the beginning of "Strawberry Plains" in the neighborhood of Wagner's Mill, which would entirely fail to take account of the branch called "Enoch Conly's Branch." In my own opinion this branch of Little Pipe Creek is identical with Turkeyfoot Branch,²⁰ or with one of the eastern affluents of this stream. But whatever may be the exact locations of the places where these two tracts begin, the fact is evident that they lie to the westward of the last point which can be determined as situated on the Old Indian Road, and less than three miles distant from it, a fact which raises a very strong suspicion that the Monocacy Road and the Indian Road are identical.²¹

We have traced the Old Indian Road from a point very near Spring Mills on Little Pipe Creek, and probably on the north side of the creek,²² down along the height of land between

²⁰ The present name of this branch certainly goes back to the first half of the eighteenth century, however; for I find it in the survey of a tract called "Hamilton's Lott," surveyed for Ninian Hamilton in 1749. My reason for locating these two tracts on the eastern branches of Turkeyfoot Branch, rather than on Cobb's Branch—the only other branch which might be identified with Conly's Branch—is that such location corresponds more exactly with the situation of neighboring tracts known to lie on the head branches of Morgan's Run, and with that of "White's Level" on which part of Westminster stands.

²¹ Consideration should be given to the fact, which has before been stated, that at this time (1732) the section of Maryland now represented by Carroll County was hardly beginning to be settled. As far as I can ascertain, not more than six tracts, or less than six thousand acres, had, before that date, been taken up on the watersheds of Great and Little Pipe Creek and of the northern fork of Patapsco Falls and its branches. This fact tends to enhance the supposition that the "Monocacy Road" of 1732 was an Indian road, not a road laid out by settlers, though doubtless used by settlers and traders alike. The Monocacy Road in question is apparently not the same as various other roads bearing this name, for one of which, as we shall see later, an Indian origin is claimed.

²² In view of the fact that the beginning of "Gabriel's Choice" may

Patapsco Falls and Beaver or Beaver Dam Run, and between the Falls and Roaring Run, to the Falls in the neighborhood of Lawndale, where it crossed Patapsco Falls. Thence we trace it across country to the vicinity of Woodensburg, and from there we know that it ran into what was formerly Back River Upper Hundred, a division of Baltimore County, which may have extended as far west as the eastern limits of the Worthington Valley or the Dover Road. Between Woodensburg and a point somewhere between Stevenson Station and the Old Court Road the course of the Old Indian Road cannot at present be traced. Conjecture is futile, and any attempt to identify the Indian Road with modern roads which connect these points is more apt to frustrate our desire to know the truth, than to realize it. From the Garrison Road, between Stevenson and the Old Court Road, we follow, with a fair degree of certainty, the course of the Indian Road down across the head of the Western Run of Jones Falls, across the Reisterstown Road, probably a short distance north of Pikesville, and into the Old Court Road, with which, as far as Patapsco Falls, it becomes identical; unless, indeed, this section of the Old Court Road has been changed since it was first laid out as a county road on the bed of the Old Indian Road.

At Patapsco Falls, near Woodstock, we again lose trace of the Old Indian Road. I think it may safely be assumed, even if we bear in mind our limited knowledge of Indian sites in Maryland, that these points where we lose the road—Woodstock and Spring Mills—were not sites which the Indian Road was originally intended to connect, and that the Indian Road proceeded westward and southward, probably for a considerable distance, from the last places where we find, through the hazard of the records, evidences of its existence. Are there any evidences to show what were the ultimate destinations of the road?

In his history of the Warfield family, Dr. Joshua Dorsey

have been very near to Little Pipe Creek, it is quite possible that the Indian Road, passing across the head of Beaver Dam Run, went to the southward of this creek, and not to the northward, as we have shown on our map.

Warfield makes the statement that a tract of land called "The Addition," taken up by Richard Warfield, the immigrant, "covered the area between Round Bay upon the Severn and the old Indian Trail. This trail afterwards became the stage mail route from Annapolis to Elkridge. The Annapolis and Elkridge Railroad runs with, but frequently crossing it, as far west as Waterbury."

"These old grants," continues Dr. Warfield, "in the absence of any roads, were all described by the nearest water front, and they were surveyed so as to give water communication to the most of them; but the dwellings were all located near, or upon, the old Indian Trail, because numerous creeks entering the Severn, prevented a road to Annapolis any nearer the river."

In his "Founders of Anne Arundel County" the same author declares that the home of Joseph Howard, son of Capt. Cornelius Howard, "Howard's Inheritance," which was later resurveyed, was near the "old Indian Trail."

The author has not so far been able to make a study of the records of Anne Arundel County sufficiently comprehensive to enable him to say whether any early references to Professor Warfield's Indian road are to be found; and Professor Warfield gives no proofs for his statement, and does not tell us whether he derived his knowledge from tradition, or from early records, or from both. If such an Indian trail as he describes existed, it was probably the continuation of the Indian Road of which we have been making a study. We have elsewhere quoted Mr. Edward Spencer as saying (again without proofs) that an Indian Road, which connected the Potomac at Piscattaway²³ with the Susquehanna River, passed Elkridge, and then followed the line of the Old Court Road. In all probability the Indian Road did go to Potomac River, and if we cannot wholly

²³ The late Mr. Vachel Baseman Bennett, whose traditions regarding the Old Indian Road are given elsewhere, told the author that the road was supposed to go to Potomac River at Washington. It is easy to understand how, when Washington became the capital city, a tradition that the Indian Road went to Piscattaway became transferred to a place in the same general locality which was so much better known.

accept Dr. Warfield's statement, neither can we reject it, but must reserve judgment in the hope that some early record or records may be found which will prove it to have been correct.

Now, as to the western objectives of the Old Indian Road, there appears to have existed an Indian highway of considerable extent and importance known to white men as the Conestoga Path, and afterwards, when turned into a public road for the use of Maryland settlers, called the Conestoga Road, which, if we may judge from its name, originated at the Indian town of Conestoga, between the town of Lancaster and Susquehanna River, crossed the Susquehanna at a place called Connejohola, several miles below Columbia or Wrightsville, and traversed York County. The Conestoga Road crossed the headwaters of Conewago Creek, which rises in Carroll County and flows northward into Susquehanna River at Bainbridge. It crossed Great Pipe Creek and Little Pipe Creek, Monocacy River, Catoctin Creek, and Potomac River; and it appears to have gone as far at least as Opequon in Virginia. Somewhere in what is now Carroll County it probably met the Old Indian Road, but whether it absorbed this road, or merely crossed it, we do not know. There is a strong probability also that somewhere beyond the Monocacy, it joined still another Indian highway which can be traced through part of Montgomery and Frederick Counties, from Muddy creek, across Seneca Creek nearly to the mouth of Monocacy River.

In the year 1725 an act was passed by the Maryland Assembly entitled: "An act to encourage the takers up of runaway slaves that shall be taken up by any person and brought in from the Backwoods." The act reads as follows:

"Whereas sundry of the slaves belonging to several of the Inhabitants of this Province have of late years run away into the Backwoods some of which have there perished, and others who held it out (as to their lives) have been entertained and encouraged to live and inhabit with the Shewan-Indians;²⁴

²⁴ A name for the Shawnee. A writer under the title "Shawnee" in "Handbook of American Indians," Bulletin 30, Smithsonian Institution,

and forasmuch as many negroes (upon hearing the success some of their fellow-slaves have met with) are daily making attempts to go the same way, which if not timely and effectually prevented may be of very fatal consequences to the Inhabitants

says that the migration of the Shawnee Indians from South Carolina northward began about 1677 and lasted for thirty years. "The ancient Shawnee villages formerly on the site of Winchester, Va., and Oldtown, near Cumberland, Md., were built and occupied probably during this migration." "Old Town" is mentioned in a survey called "Indian Seat" laid out for John Charlton, Nov. 8th, 1739. In a survey called "I Never See It," laid out for John Tolson, 1743, "Upper Old Town" is mentioned. "Colmore's Ramble," surveyed for Colmore Bean, 28th Feb., 1743, is described as beginning "at a bounded white oak standing on the side of a hill near the head of a small branch that falleth into Little Cunnollaway's and on the left hand side of the main road that goes from the said Little Cunnollaway's to the Old Town and near where the said road crosses Cunnolleaway's Hill." (Tonnolaway Cr. is probably meant. "Hanthorne's Rest," surveyed for John Hanthorne, 1739, is described as lying on Potomac River at the mouth of "Town Alloway Creek.") "Choicc," surveyed for Thomas Prather, 1747, begins at bounded trees standing "on the bank of Potomack River at the upper end of Walker's Bottom about a mile below the Sideling Hill and about three miles and a half above the Old Town." "Little Meadow," surveyed for Daniel Cresap, 1751, begins "at a bounded oak standing by the side of a small ridge near some sink holes about a quarter of a mile from Potomack River near the upper old Indian Town." Where the lower Old Town was situated we do not know; but a survey called "Broken Islands," laid out for Arthur Nelison Nov. 10th, 1728, is described as beginning "at a bounded elm standing on an island in Potomack River a little above the Indian Town landing." (This may have been the Conoy Town on Conoy or Coney Island.) At that time surveys had advanced very little beyond the mouth of Monocacy. Whether there was a Shawnee town in the Monocacy watershed is doubtful. The Indian names of Monocacy, Olacin or Olacip and Hashawha (for the latter see note 27) seem to indicate that there were Indian settlements in this region in historic times. The name of "Monocacy," like many of the Indian names we apply to creeks, rivers and bays, may originally have been the name for a village on the Monocacy. "Olacin" and "Hashawa" were certainly names for localities of small extent, if not for actual towns. In 1725, before the act of Assembly regarding run-away slaves was passed, the Governor of Maryland, who was exercised about "the ill consequences that may attend the Shuano Indians entertaining our negro runaway slaves," proposed to send "Mr. Charles Powell of Prince Georges County, Gent., to Shuano Town upon Potomack to invite some of the principal Indians of the same Town to meet His Excellency the Governor at the house of Charles Anderson near Mononknisea (Monocacy) at such time as

of this Province, for the prevention thereof it is humbly prayed that it may be enacted . . . and be it enacted by the Right Honorable the Lord Proprietor of this Province . . . that any person whatsoever, either Indian or others, that shall take up any Run-away Slave (already run away or that shall hereafter

shall be mentioned in his Excellency's instructions." (*Archives*, xxv, p. 442.) On October 6th, 1725, Governor Calvert, in addressing the Assembly, said, with reference to the harboring of runaway slaves by the "Shuano" Indians: "I did with the advice of the Councill engage one of the Magistrates of Prince Georges County to give the chief of those Indians an invitation to meet me at Mononkosey in order to settle a treaty with them to prevent the loss of any more of our slaves, as well as to regain those already there; upon the Indians promise to the gentleman that went to them that they would meet me I went as far as the Mountains with some of the Councill, and several other gentlemen, but tho we stayed beyond the appointed time, the Indians for what reason I cannot tell never came." (*Archives*, xxxv, p. 200.) In February, 1721/2, two Conestoga traders murdered an Indian "at Monocasey." (*Archives*, xxv, pp. 379, 380, 383.) In 1732 Charles Carroll, who the same year had taken up a tract called "Carroll's Delight," on Tom's Creek of Monocacy River, in what was then supposed to be Maryland, complained to the Pennsylvania authorities that, while he was at the house of John Hendricks on Susquehanna River, several persons came there with a warrant to arrest "John Tredane of the Province of Maryland resident at Monochasie." ("History of York County," by John Gibson, p. 49.) It is extremely doubtful whether the foregoing references to "Monocacy" refer to one definite place, or if "Monocacy" meant vaguely any place in the Monocacy valley. Williams, in his "History and Biographical Record of Frederick County, Maryland," and Schultz, in his "First Settlement of Germans in Maryland," both assert that there was an early settlement of Germans called "Monocacy," and that it stood on or near the site of Craegerstown; but although a town of this name seems to have existed in that place, there is no reason to suppose that it was the same as the "Monocacy" of 1721-1732. The earlier Monocacy, if such a place really did exist, was probably a small settlement of Indians and traders of Maryland and Pennsylvania. To return to the subject of the Shawnee Indians, there is evidence, which cannot be conveniently presented at this time, to prove that there was a settlement of this tribe in Baltimore County early in the eighteenth century somewhere near Cockeysville. "Shawan Hunting Ground," surveyed for Thomas Todd, in 1714, lies upon the Shawan Cabin Branch (now Oregon Run), a stream referred to under that name in many other surveys. A place in this neighborhood was called "The Indian Old Fields." Not far to the south a branch of Roland's Run was called the Shenese Glade. In what is now Harford County a branch of Gash's Run, which empties into Swan Creek, was called in the seventeenth century the Shawneys Run.

run away) in any part of the backwoods to the northwestward of Monocacy River from the Mouth thereof up the same River, to the fording place where the Conestogo Path crosses the same near one Albine's Plantation, and then to the northwestward of the said Conestogo-Path until it meet with Susquehanna River and by them shall be brought in and delivered to the Person to be appointed and commissioned (according to the directions of this Act) to receive such run-away negroes, shall be paid by the said commissioner as a reward for each run-away slave taken up, brought in and delivered as aforesaid the sum of £5 current money." (*Archives*, Vol. xxxvi, pp. 583-585.)

Efforts to identify the ford near Albine's plantation with any of the known fords of Monocacy River, or to discover evidence which would enable us to locate it, have so far proved futile. Whoever he was, Albine was probably a trader; he owned no land, as far as the records show.²⁵ One might be tempted to suspect that his name was incorrectly spelled, and that a person of a somewhat different name was meant; but the discovery of a tract called "Albins Choice," surveyed for John Radford, November 23d, 1724, on the west side of Monocacy, dispells this doubt.²⁶

In the year 1725—the date of the foregoing reference to the Conestoga Path—the valley of the Monocacy and its affluents was still, in all likelihood, an almost unbroken wilderness into which white settlers were just beginning to penetrate.²⁷ The

²⁵ I have not been able to find his name, either in the patent records at Annapolis, or in the land records of Prince Georges County. I also looked for his name without success in the list of early Conestoga traders given by Hanna in "The Wilderness Trail," Vol. 1.

²⁶ In a Rent Roll of Frederick County, Vol. 1, (Annapolis) the possession of "Albin's Choice" is credited to Daniel Dulany; but there is a note to the effect that Thomas Radford conveyed it to Robert Debutts, Aug. 22, 1751. Where it lies I have no idea; but, if we take the date of its survey into question, it is more likely to be south of Frederick than north of that place.

²⁷ The earliest mention of Monocacy River I have found is in a survey called "Progress" laid out for Daniel Dulany, April 13th, 1721, described as lying "by the east side of Patowmack and about two miles below the

land between the headwaters of the Monocacy and the Susquehanna River was also a wilderness, in which Pennsylvanians

mouth of Monocacy River." "Concord," surveyed for Dulany April 28th, 1721, lies "between the Sugar Lands and Monocacy River," on Potomack River at the mouth of Broad Run. "Hope," 300 acres, originally surveyed for Wm. Fitzredmond, Nov. 10th, 1721, and later resurveyed for Richard Bennett, lies on Monocacy River by the Sugar Loaf Mountain, and is therefore near the mouth of the river. "Black Acre," surveyed for William Black, 1721, and later resurveyed for him, lies on Monocacy, beginning at the beginning of "Hope," and must therefore be situated near the mouth of the river. "Woodstock," surveyed for Thomas Sprigg Jan. 3d, 1722/3, lies "on a branch falling into the mouth of Monocacy where it makes into Potomack River." "Carrolton," surveyed for Charles, Daniel and Eleanor Carroll, 10,000 acres, April 20th, 1723, begins "at a bounded white oak standing on the point of the fork or neck of land that is made between Potomack River and Monocacy River."

Lands taken up on Monocacy River in the year 1724 extended up the river a considerable distance on the east side, probably nearly as far as the mouth of Hunting Creek. These included the following small surveys: "Metre" for John Vanmetre; "Hopewell" for John Norris; "The Henry" and "Albin's Choice" surveyed for John Radford. The following large tracts were taken up: "Addison's Choice," 2300 acres, surveyed for Col. Thomas Addison May 27th, 1724, "beginning at a bounded beech standing on the east side of Monocacy River upon the Bank of a Creek or large Branch that falls into the said River at the lower end of the Rich Land known by the name of Olacin Land. . . ." "Dulany's Lott," surveyed for Daniel Dulany May 28th, 1724, containing 2850 acres, begins at the beginning of "Addison's Choice." "Monocacy Manor," 10,000 acres, surveyed for Lord Baltimore May 29th, 1724, lies "on the east side of a branch of Potomack River called Monocacy River, beginning at a large beech standing on the east side of the said Monocacy River at the mouth of a large run that proceeds from a great spring in the land called Olacip and falls into Monnococy, the said beech being a boundary of a tract of land surveyed for Daniel Dulany, Esq. called 'Dulany's Lott.' . . ." "Carrollsbury," 10,000 acres, surveyed for Charles and Daniel Carroll Nov. 10th, 1724, is described as beginning "on the highest point of a great rock on the eastward side of a branch now known by the name of Lingonoa Creek . . . the creek falls into Monocacy at the lower end of Oliccin land . . ." This appears to be the first record of the name of Linganore Creek. "Monocacy Manor" seems to have been the most northerly of these four tracts. We infer from the foregoing descriptions that it lies above the mouth of Linganore Creek, as it lies on a branch descending from the land called "Olacin" or "Olacip," and Linganore Creek is said to empty into Monocacy at the lower or southern end of this land. The meanders of Monocacy River form the western boundary of the manor, while the eastern boundary is a straight line running north and south. The manor runs

had been forbidden by their own government to settle²⁸ and Marylanders had not yet penetrated. There can be little doubt, therefore, that this Conestoga Path was an Indian road; but

north about $3\frac{1}{2}$ miles; has an extreme width of about $5\frac{1}{3}$ miles, and a minimum width of about $3\frac{1}{2}$ miles. A plat of the original survey is at the Maryland Land Record Office. Apparently the manor begins at or near the mouth of Glade Creek and extends north to about the latitude of Woodsboro, and east far enough to include Laurel Hill. I am not sure of this location, but it is the only one I can find on the map which satisfies all the conditions.

The land bearing the Indian name of Olacip or Olacin seems to have been situated between Linganore Creek on the south and a point at least as far north as the head of Glade Creek. Another Indian place on the Monocacy watershed is discovered in the record of the issue of a warrant to Charles Carroll, Esq., in August, 1732, for 10,000 acres, part of which was to be located "on the head of Pipe Creek on the land called Hashawa or where the Indian Cabin or Old feils are. . . ." (*Archives*, XXXVII, pp. 506-507.)

"Tasker's Chance," 7000 acres, was surveyed for Benjamin Tasker, April 15th, 1725, beginning on Monocacy River at the mouth of Beaver Run, which was later known as Carroll's Creek. On this land the town of Frederick was laid out in 1748. A small tract called "The Josiah" was laid out for Josiah Ballinger Nov. 5th, 1725, "Beginning at a bounded white oak standing on the upper side of Monocacy above Mr. Carroll's lower tract of land." The reference is probably to "Carrolton."

²⁸ John Gibson, ("History of York County," p. 16), says that the first settlements made on the west side of Susquehanna River in what is now York County under authority of the government of Pennsylvania were made in the year 1729. Before that year various persons had at divers times settled along the river and had been succesively removed to placate the Indians. He also quotes (p. 50) a report made in 1732 by Samuel Blunston and John Wright, Justices of the newly created county of Lancaster, to the Governor, regarding the disturbances which were then taking place between Thomas Cresap and other Marylanders, on the one hand, and the Pennsylvania settlers on the east side of the river. The report says that in 1729 "there were no English inhabitants on the west side of the Susquehannah River in those parts, (i. e. the present York County), for, about two years before Edward Parnell and several other families, who were settled on the west side of the river near the same, at a place called by the Indians Conejohela, were at the request of the Conestogoe Indians removed by the Governor, the Indians insisting upon the same to be vacant for them. But about two years since Thomas Cressap and other people . . . came and disturbed the Indians who were peaceably settled on those lands whence Parnell and the others had been removed. . . ." It appears, however, that a number of tracts had been surveyed under Maryland and above the present Mason and Dixon Line. These included: "Elisha's

there is also small doubt that the pack-horses of the Indian traders had deepened and widened the trail, possibly the horses of missionaries and of nondescript travellers.²⁹

On the 25th of September, 1722, several large tracts of land on both sides of Susquehanna River running as far north as the 40th degree of north latitude were "reserved" for the use of the Lord Proprietor of Maryland, and thereafter lands sur-

Lott" surveyed for Elisha Perkins, 1719; "Deserts of Arabia" for John Cooper, 1721; "Cooper's Addition" for John Cooper, 1724; "Solitude" for Thomas Larkin, 1724; and probably a few others. This list does not include the manors or "reserves" laid out for Lord Baltimore in 1722.

²⁹Gibson, in his "History of York County," says (p. 321): "Before permanent settlements were made by whites west of Susquehanna River there were trader's and missionary routes, crossing this country from north to south, and from east to west. These generally followed the Indian trails, of which there were several through the present limits of York County." The reader should consult Charles A. Hanna's "The Wilderness Trail," Vol. 1, for information touching the early presence of numbers of traders at the Indian town of Conestoga. Hanna says ("The Wilderness Trail," Vol. 1) that white settlers began to come into that part of Chester County, which was afterwards Lancaster County, as early as 1710; but that Indian traders had been there since twenty years before. Hanna locates the Indian town of Conestoga on the north-west side of Conestoga Creek and near the creek's mouth ("The Wilderness Trail," Vol. 1, p. 61); and refers the reader to a map of the original survey of Conestoga Manor, Feb. 1st, 1718, published in *Pennsylvania Archives*, 3d Series, Vol. iv, Map 11. Hanna says ("The Wilderness Trail," Vol. 1, p. 34) that the town of Conestoga was built by the Susquehannough (Conestoga) Indians some time after their defeat and subjugation in 1673-1677, and was at first largely occupied by old men, women and children. In a note he quotes Evans ("History of Lancaster County," p. 950) to the effect that this town lay to the east of Turkey Hill (situated on Susquehanna River in Lancaster Co. about three miles below Washingtonboro) about two miles west and north of Conestoga Creek and about one mile west of Little Conestoga. Our inference that the Conestoga Path or Road went to Conestoga Town will in no way, however, affect our theory that the path may have been of greater antiquity than the town, in as much as the region about Conestoga had been, as we shall see presently, greatly resorted to by the Indians in early historic times, and probably was so in times prehistoric. Hanna quotes from *Pennsylvania Archives*, Vol. 16, (2d series) a deposition of James Hendricks, aged 73 years, taken in the year 1740 on behalf of the Penns in their suit against Lord Baltimore. The deponent says that he visited Conestoga nearly 50 years before, and that the Indians there told him no white man had visited their town before that time.

veyed within these areas were taken up under special conditions which pertained to reserved lands. (Land Record Office, Annapolis, Plats, Division 4, No. 22). One of these "reserves" lay between Deer Creek on the south and Muddy Creek on the north, on the west side of Susquehanna. Another ran from Muddy Creek north, on the west side of the Susquehanna, to a line drawn west from a point on the west side of Susquehanna opposite to the mouth of Conestoga Creek. A third began at the last-mentioned line and ran up the river to the 40th degree of north latitude, which crosses the river in the neighborhood of the present Washingtonboro.³⁰ On the east side of the river lands were reserved between Octorara and Pequea (called "Pequin" in the record) Creeks, and between Pequea Creek and the 40th degree of north latitude.

The Maryland government appears to have made no effort, save by diplomatic negotiations, to gain possession of the lands included in the "reserves" lying east of the Susquehanna; but a very strenuous effort was made to retain a hold on the lands lying west of the river, which resulted in the "war" between Maryland and Pennsylvania, about which so much has been written.

Thomas Cresap, the leading Maryland figure in this struggle between the colonists of the two provinces, settled at a place called Conejohola on the west side of the Susquehanna River in or about 1730, where he remained for a number of years. With him settled in the same neighborhood his kinsmen, John Lowe, William Lowe and Daniel Johnson Lowe, and a number of other persons.³¹ At the same time several surveys were made

³⁰ These upper "reserves" were in direct conflict with "Springettsbury Manor," 70,000 acres, laid out for the Proprietor of Pennsylvania June 19th and 20th, 1722, but not opened to settlers for some years afterwards. The purpose of the laying out of this manor was to frustrate attempts on the part of the Maryland government to get possession of the country thereabouts, and to protect and placate the Indians. (See Gibson's "History of York County.")

³¹ The following lands were surveyed at this period at or in the neighborhood of Conejohola: "Pleasant Garden," surveyed 28th of July, 1729, for Thomas Cresap, "on the west side of Susquehannah River at the mouth of a small run opposite against the Blue Rock"; "Bullford," for

in the "back" country under Maryland authority.³² While negotiations were going on between Lord Baltimore and the Penns, and the unauthorized warfare between the settlers was

Jacob Herrington, August 26th, 1729, "on the north side of a branch called Cabin Branch (this branch, still so called, discharges into the west side of Susquehanna River a short distance below Washingtonboro) "Bond's Manor," Thomas Bond, June 1st, 1730, on the west side of Susquehanna River, adjoining "Bullford" surveyed for Jacob Herrington; "Conhodah," surveyed for Stephen Onion, June 2d, 1730, "beginning at the west end of the west line of a tract of land laid out for Thomas Bond of Baltimore County called Bond's Manor and is on the west side of Susquehanna River and opposite the River to a tract of land called by the Indians Conejohah and also at the west end of a west line of 100 perches' length of a tract of land laid out for Thomas Cressap of Cecil County called "Pleasant Garden"; "Smith's Choice" surveyed for William Smith, September 26th, 1731, begins at the beginning of "Bond's Manor"; "Atwood's Chance," surveyed for Edward Atwood Feb. 26, 1733, beginning "at a bounded red oak at the mouth of Grises Creek" (this creek said to be identical with Kreutz Creek); "The Governor's Grant," for Capt. Thomas Cressap, Feb. 26, 1733, adjoins the land surveyed for Edward Atwood (i. e. "Atwood's Chance"); "Indian Fields" surveyed for Col. Nathaniel Rigbie, August 25th, 1735, adjoins the land laid out for Capt. Thomas Cressap called "The Governor's Grant" (unpatented certificate 2480); "Isles of Promise" surveyed for Captain Thomas Cresap April 12th, 1736, "including three small islands in Susquehanna River near the eastern side of the river and opposite to a place on the said eastern side of the said river called the Blue Rock." (Gibson in his "History of York County" says that General Jacob Dritt afterwards became possessed of these islands, and sold them to Jacob B. Haldeman; they are probably a parcell of islands lying just below Washingtonboro.) "Woodstock Bower," for Thomas Cressap, March 2d, 1734, on Cabin Branch; a tract surveyed for Daniel Johnson Lowe, March 2d, 1734, on a branch of Grices (Kreutz) Creek; "Providence," surveyed for John Lowe, Aug. 7th, 1735, probably very near Conejohola. To this latter tract we must again refer.

³² "Carroll's Delight," 5000 acres, surveyed for Charles, Mary and Elizabeth Carroll, April 3d, 1732, lies at the head of Monocacy River on Toms Creek, and is now in Pennsylvania. "Diggs's Choice," 6822 acres, surveyed for John Digges April 18th, 1732, lies on Conewago Creek, and includes the site of Hanover, Pa. "Bare Garden," surveyed for Robert Owings May 26th, 1732, lies on Conewago Creek; "Golden Grove," surveyed for Andrew Hirsey March 22d, 1733, lies on Codorus Creek; "Ludwick's New Mills," surveyed for Ludwick Shriver November 18th, 1735, lies on Conewago Creek, and is probably now in Pennsylvania. Gibson says, in his "History of York County," p. 58, that in 1734 Thomas Cressap, claiming to have authority from the Governor of Maryland, surveyed upwards of forty tracts of land for Germans living in those parts.

in progress, the Maryland colonists and owners of land in this section endeavored to "consolidate" the new country by the laying out of suitable roads. This new section was regarded as part of Baltimore County, and was officially known as "Codus Hundred."³³

In the month of June, 1733, Thomas Cressap presented to the Baltimore County Court the following petition: "That your petitioner having his lordships grant for keeping a Ferry over Susquehanna River from Conjaulough to the Blew Rock do humbly pray that a road may be cleared from your pet'r's house to Peter Hances and that your worships would be pleased to appoint an overseer to clear the said road it being much as your petitioner conceives for the benefit of the country." "Which petition being read . . . is granted and the petitioner is appointed overseer to clear the aforesaid road from the said pet'r's house along the old Connestogo road to the aforesaid Hances." (Baltimore County Court Proceedings, Liber , 1733-1734, f. 8.)

It is evident, from the foregoing record, that the Conestoga Road—the significance of the adjective "old" should not be missed—met Susquehanna River at Conejohola, where Thomas Cresap lived in 1733; and that from Conejohola it ran inland by the residence of one Peter Hance or Hanse. The fact that it was "cleared," that is, widened, freed from stumps and made into a county road, indicates that before 1733 it was only a trail. We know, too, that the section of the old Conestoga Road which was thus made useful to the settlers of this new country ran west from Susquehanna River, and not east;³⁴

The influx of settlers from the older parts of Maryland and Pennsylvania into what is now York County appears to have gotten under way between the years 1729 and 1734. The attention of the reader is called to note 11 of this article, in which the history of the Conewago or Hanover Wagon Road is given.

³³ Henry Hendricks was appointed by the Baltimore County Court constable of Codorus Hundred in November, 1734. (Baltimore County Court Proceedings, Liber —, 1733-1734, f. 354.)

³⁴ Whether the Conestoga Road was ever cleared eastward from the river by the inhabitants of Lancaster County, I do not know. Gibson says,

for the eastern side of the river above and below Conejohola was in the possession of the Pennsylvanians, and the Marylanders confined their activities to the western side.³⁵

in his "History of York County," p. 321: "The road from Lancaster to the plantation of John Wright (Columbia) was laid out in 1734. An Indian trail and a route for pack-horse travel and for missionaries was used, which extended across the territory now embraced in York County to Western Maryland and Virginia." Gibson proceeds to identify the York County section of this trail with the "Monocacy Road" laid out in 1739 between Wrightsville or Wright's Ferry and the Maryland line near the head of Monocacy. John Wright, an early justice of Lancaster County and a very active enemy of the Maryland colonists on Susquehanna River, owned a ferry between the site of Columbia and that of Wrightsville, called Wright's Ferry, which, according to Gibson, was chartered in 1730. If an Indian road ever existed along the line of the present Columbia-Lancaster turnpike, it did not pass through, or even near, the Indian town of Conestoga, and it met the Susquehanna at least four miles above Conejohola.

³⁵ Several other roads were laid out during this period by Maryland authority in what is now York County, Pennsylvania: in November, 1734, the court appointed Thomas Cresap overseer "to clear a road from Connajohala to the rock run and it is ordered that the inhabitants of Deer Creek assist in clearing the same." (Balto. Co. Court Proceedings, Liber —, 1733-1734, f. 357.) This road is difficult to identify, owing to the fact that there were then at least two, and probably three streams called Rock Run descending into Susquehanna on the west side between Conejohola and the mouth of the river. The uppermost discharges into the river at Peach Bottom. Next comes what was called the Upper Rock Run, which empties at Glen Cove (now called Peddler Run). The third discharges near Lapidum. Here, early in the eighteenth century, there was a tobacco inspection warehouse. The river was navigable to this point. The old "upper ferry" called Perkin's Ferry, or Harris's Landing, was at this place. In March, 1736/7, the Baltimore County Court ordered Caleb Peverill "to clear a road (at his own expense) from peach bottom down the River of Susquehannah to the first valley above the first fall of rocks below Slate hill thence up the said valley to the top of the said hill and along the ridge unto Alexander Mackelneys plantation, and from thence with a straight line towards Potomack till it intersects the road that leads from John Williams ferry to Potomack aforesaid which said roads are to be laid out and inspected by Coll Nath: Rigbie." (Baltimore County Court Proceedings, Liber H. W. S. No. 1. A. 2, 1736-1738, f. 2.) Slate Hill and Slate Ridge lie between Muddy Creek and Broad Creek. It is obvious that Caleb Peverill, who was not a man of means, was not expected to clear a road of any great length "at his own expense." The road was evidently intended for the service of a ferry at Peach Bottom. The location of John Williams' ferry is difficult to explain. There is, however, in the

Let us first consider the situation of Conejohola and the significance of the place. The name appears to have been applied to the land on both sides of Susquehanna River at or just below the present village of Washingtonboro, which is situated in Lancaster County a few miles below Columbia. A small stream on the York County side of the river retains the name in a corrupted form. Conejohola appears to have been at one time a settlement of the Conoy Indians. Charles A. Hanna in "The Wilderness Trail," says: "The Conoys told Thomas Cookson at his house in Lancaster County, April 11th, 1743, that when they first came into Pennsylvania from their island in the Potomac (whence they had gone from Piscataway Creek) in William Penn's time, (after the treaty of 1701) they built a town at Conejoholo, and that later they removed higher up the Susquehanna to what was called Conoy Town in 1734." Hanna also quotes (from *Pennsylvania Archives*, Second Series, Vol. 16) a deposition of James Hendricks, aged 73 years, taken in 1740 for the Penn family in their suit against

Baltimore County Court Proceedings (Liber —, 1733-1734, f. 22) the record of a suit, dated June, 1733, of John Williams against Richard Perkins, in which Williams charged that "having been granted authority May 1st, 1731, to keep Susquehanna upper ferry for one year, he has been hindered by Richard Perkins." Susquehanna Upper Ferry, often called Perkins's Ferry, was at the mouth of Rock Run near Lapidum. If this was John Williams's ferry in March, 1736/7, then the road laid out by Thomas Cressap in 1734 from Conejohola to the Rock Run was probably the road meant by the reference to a road leading from John Williams ferry to Potomac River, which would mean that the latter road connected with the Conestoga Road, clear by Cressap in 1733, which undoubtedly went to Potomac.

In 1749 the Lord Proprietor leased to Benjamin Jones a tract called "Benjamin's Addition" lying in the "Reserve" on the north side of Deer Creek, "beginning at a bounded oak on the north side of Slate Hill and on the west side of Conijohallo Road"; and in 1750 the Lord Proprietor leased to Cornelius Clark a tract in the "Reserve" called "Wills' Lott," "lying on the north side of Broad Creek, beginning at a bounded white oak standing on the head of a spring on the east side of the Old Johollow Road." This may be the road laid out in 1734; but, if, as I think, "Johollow" is an abbreviation of Conijoholo, could a road built in 1734 have been called "old" in 1750? Can this road have been a relic of another Indian road?

Lord Baltimore's heirs. The deponent, having testified that, some fifty years before, he had seen an Indian settlement and fortification at the mouth of Octorara Creek, goes on to say: "He has also seen the ruins of another such fortified town on the east side of Susquehanna River aforesaid opposite to a place where one Thomas Cressap lately dwelt.³⁶ That the land there on both sides of the River was formerly (called) "Conajocula." Mr. Hanna mentions also the report of James Logan, Secretary to the Province of Pennsylvania, who, on June 6th, 1706, reported to the Pennsylvania Council that he had visited the Conestoga Town in October, 1705, and that "he with the Company had made a journey among the Ganawese (Conoys) settled some miles above Conestogee at a place called Connejaghera." Mr. Hanna identifies "Conejoholo," "Conajocula" and "Connejaghera" as one and the same place, and says that it stood near the site of the present Washingtonboro, on Susquehanna River.

It would appear, from evidence presented by Hanna in "The Wilderness Trail," that the site of the famous Susquehanna Fort shown on Augustine Herman's map of Maryland of 1670 could not have been far from the spot where Thomas Cressap built his fort and kept ferry. A short distance down the river, on the east side, in the neighborhood of Turkey Hill, was located another fort, supposed to be of later date than the former. The

³⁶ A map of Pennsylvania showing the "Temporary Line" as run in 1739 (reproduced in Gibson's History of York County) shows a site "late Thomas Cressap's fort" as situated on the west bank of Susquehanna River four miles above a line run due west from the southernmost part of Philadelphia and crossing Susquehanna River at the mouth of Conestoga Creek. The Blue Rock—the place on the east bank to which Cressap's ferry ran—is shown in Stull's Map of Pennsylvania, 1770 (*Pennsylvania Archives*, 3rd Series, Appendix). Cressap retained possession of his lands at Conejohola for ten years or more. On August 8th, 1739, he sold to Jacob Mires "Pleasant Garden" and part of "Bond's Manor." About 1740 he sold "Isles of Promise" and another part of "Bond's Manor" to the same party. (Provincial Court Deeds, E. I. No. 3, f. 305.) On April 21, 1747, he sold "Woodstock" to Lodowick Meyer (same, E. I. No. 8, 261). Cressap's ferry still continued to run, and was known as Myer's Ferry. Gibson says that it was also called Dritt's.

Conestoga Indian town was situated, as we have already observed (note 29) above the mouth of Conestoga Creek, and about three miles below Washingtonboro. We are tempted to believe that this region had been a rendez-vous of the Indians from time immemorial, as it surely was in early historical times.³⁷

A number of scattered bits of evidence, which we cannot afford to overlook, corroborate our theory that an Indian path, later a trader's route, crossed the present York County from the Susquehanna River. John Gordon, in his "History of York County," (p. 39), quotes (from *Pennsylvania Archives*, Vol. 1, p. 271) a letter written from Conestoga in 1730 by "Captain" Civility, a chief of the Susquehannoughs, to Governor Gordon of Pennsylvania, to the effect that "at Lancaster he had heard much talk that both Dutch and English were going to settle on the other side of the Susquehanna. That Mr. Wright and Mr. Blunston had surveyed a great deal of land and designed to dispose of it. That it was their road to hunting, and their young men might break the chain of friendship.

³⁷ Mr. Hanna refers to a paper read before the Lancaster County Historical Society, March 4th, 1910, by Mr. David H. Landis on the subject of the Susquehannough forts, to which Mr. Landis devoted long and careful study. Mr. Landis locates the fort of 1670 "a few hundred yards north of where Cressap had his fort . . . in York County . . . just opposite Washington Borough." This site, according to Mr. Landis, "is conspicuous for the abundance of trader's articles found there." Mr. Hanna remarks that "this site abounds in stone implements . . . and was inhabited as an Indian village for a very long period—probably from before 1608 until 1652 or later" ("The Wilderness Trail," Vol. I, p. 42). The choice of the earlier date—1608—seems to refer to the voyage of Captain John Smith to the head of the Bay. Mr. Hanna means that the site was inhabited in locally prehistoric times.

The reader is referred to the first volume of "The Wilderness Trail" for information about Indian trails converging on Conestoga Town from the direction of the Delaware. Hann says that one of these trails connected Conestoga with the site of Philadelphia. The author has found, but not yet developed, a clue to the former existence of an Indian path leading to Conestoga through Cecil County. "Chestnut Levell," surveyed for Nicholas Highland, November 3rd, 1715, is described as lying in Cecil County, "beginning at a large bounded chestnutt tree standing on a high hill and on the west side of Conastogo Road."

That Mr. Wright had often said, when he first came to those parts, that no person should settle on that side of the River without the Indians' consent." Reference has elsewhere been made (note 28) to a report sent to Governor Gordon in 1732 by Messrs. John Wright and Samuel Blunston, Justices of Lancaster County, in which the two magistrates give an account of the recent settlement of Cressap and others at Conejohela, and of various offenses which the Maryland men were supposed to have committed. Complaint is made that Cressap and his fellow-countrymen "killed the horses of such of our people whose trade with the Indians made it necessary to keep them on that side of the river for carrying their goods and skins, and assaulted and threatened to look after them. That this usage obliged James Patterson to apply to them for a warrant to apprehend and bind to the peace the two young men who had been most active, Daniel and William Low. . . . The affidavits showed that Patterson was informed that his horses were killed near Lowe's plantation (i. e. John Lowe), and that his sons said they would kill all the horses that came upon that land, and would tie and whip all he should send over thither. . . . That Lowe's house where his sons were taken is several miles more northerly than Philadelphia, which appears by a well-known line that had been run about forty years since on a due west course from the city to the Susquehanna" (i. e. a line run by Benjamin Chambers in 1688.)³⁸ It is evident, from the foregoing, that traders had been in the habit of keeping their pack-horses stabled at Conejohola, whence the horses could proceed westward into the wilderness without having to cross the Susquehanna; and we seem to be at liberty to infer that the trading route from the west came down to the river at this place. In "The Wilderness Trail," (Vol. 1, p. 151) Mr. Charles A. Hanna, having identified a town called "Dekanoagah" visited by Governor Evans of Pennsylvania in 1707,

³⁸ "The Wilderness Trail," p. 41. This line, as already stated, crossed the mouth of Conestoga Creek. Conejohola was four or five miles north of this line.

with Conejohola (which he says is Algonquin pronunciation) or Conejohera (Iroquois pronunciation, according to Hanna), says: "Here Martin Chartier had his trading post in 1717, and probably for some years before, after moving up the river from Pequehan, where his house stood in 1707." Trading posts, it should be remembered, were generally located at some strategic point on an Indian trail.

We have observed how the old Conestoga Road was "cleared" in 1733 from Conejohola to Peter Hance's or Hanse's. The question we must now decide is: where did Peter Hanse live?

A tract of land called "Breeches," laid out for John Williams, September 1st, 1729, is thus described: "beginning at a hickory standing nigh a branch running into Sam's Creek, which said creek runs into a creek called Little Pipe Creek near the plantation of Peter Hans and John Treddane."

All efforts to find any other reference to this Peter Hans (Hance or Hanse) have so far been in vain;³⁹ but the foregoing record is sufficient to prove that late in the year 1729 he had a plantation in what is now Carroll or Frederick County, near the junction of Sam's Creek and Little Pipe Creek.

Peter Hans and John Treddane were probably Indian traders, and it may have been because it was on the Conestoga Path that they settled on a site near the intersection of these two creeks. They were probably partners, or worked together for some master trader.⁴⁰ Treddane was the only one who owned

³⁹Neither in the land records of Baltimore County, nor in those of Prince Georges County, could I find any evidence of his having bought land. Neither did he patent any. I also examined Provincial Court Deeds, and looked over Hanna's list of traders in "The Wilderness Trail."

⁴⁰One is tempted to hazard a guess as to the identity of one "master trader" of those parts. The first land surveyed in upper or middle Carroll County (then Prince Georges), "Park Hall," 2680 acres, surveyed for James Carroll November 24th, 1727, is thus described: "lying on a branch of Monocacy called Little Pipe Creek, beginning at a large spring to the southward of the said creek not far from a path that leads to Hanstealmans Cabin . . ." This tract, according to Scarff, lies between New Windsor and Sam's Creek. It seems not improbable that the "cabin" referred to in the survey of "Park Hall" was a small trading post

any land. He surveyed on June 10th, 1729, a tract of 200 acres called "Kilfadda," which, according to Scharff ("History of Western Maryland") is part of the town of Union Bridge and of the farm of E. J. Penrose. This was the second tract laid out within the present limits of Carroll County north of the extreme southern part of the county. The plantation of Hans and Treddane was probably on some part of "Kilfadda." Treddane sold the tract to Alan Farquar on the 25th of August, 1734. (Prince Georges County Land Records, Liber T, f. 197.) If Treddane was a trader, he may have intended to move to wilder parts; for by 1734 numbers of settlers were beginning to come into the country around the headwaters of the Monocacy and its affluents.⁴¹

A stream called in early records "Hans's Branch," which descends into the north side of Little Pipe Creek, probably derived its name from Peter Hans. A tract called "Batchellor's Hall," surveyed for Alan Farquar June 8th, 1743, is described as beginning "at three white oaks standing on the south westerly side of Felixes or Henses branch, being a draught of Little Pipe Creek." "Winder's Addition to Batchellor's Hall," surveyed for George Winder August 7th, 1747, begins "at two bounded white oaks standing about forty perches from Hans's Branch, a draught of Little Pipe Creek." A tract called "White Gravel Spring," surveyed June 10th, 1744, begins "at three bounded white oaks standing near a branch

belonging to a famous trader, John Hans Steelman or Stillman, about whom the reader will find information in "The Wilderness Trail." Hanna quotes ("The Wilderness Trail," p. 39) a deposition of John Hans Steelman, taken in 1740, when he was eighty-five years of age. He was then living in Cecil County. He then testified that "he was acquainted with the greater part of Maryland and Pennsylvania, and well acquainted with the Bay of Chesapeake and the Susquehanna River" (for this deposition see *Pennsylvania Archives*, 2nd Series, Vol. 16). There is certainly, moreover, a possibility worthy of consideration that the "path" here mentioned was the Conestoga Path.

⁴¹ Both Treddane and Hans may have been located at this place well before 1729, and Treddane may have taken up the land he was living on to protect himself from having it surveyed by some other party, and to secure to himself the improvements he had made.

called Hans's Branch descending south westerly into Little Pipe Creek." The branch is evidently a northern branch of Little Pipe Creek, but the author has been unable to identify it.⁴²

The evidence seems to be in favor of the conclusion that the place designated in the petition of Thomas Cressap as Peter Hanse's or Hance's was somewhere in the neighborhood of the modern Union Bridge, and that the Conestoga Path ran between this place and Conejohola. Consideration, however, ought to be given to the fact that some three years and nine months elapsed between the date of the first and only reference to the plantation of Peter Hans at the mouth of Sam's Creek and the date of Cressap's petition. In this interval Hans, who owned no land, may have taken up his abode somewhere else. We shall see, however, that there are other reasons for believing that the Conestoga Path or Road did pass through this section or somewhere near it.

After the old Conestoga Road had been converted into a county road we find a number of early references to it in the descriptions of surveys taken up in various places. Some of these references lead to the supposition that the whole of the Conestoga Path or Road in Maryland was thus converted to the uses of settlers.⁴³

A tract of 372 acres called "Providence" surveyed for John Lowe August 7th, 1735, is described as lying in the "Reserve" as laid out for Lord Baltimore, 1722, "on the west side of Susquehanna River northward of a line extended west from that part of the said river which is opposite to and over against the mouth of Conestoga Creek (i. e. in the most northern "Reserve" on the west side of the river), beginning at a

⁴² Other tracts laid out on Hans's Branch include the following: "Michael's Fancy," surveyed for Michael Foutz, 1745; "Mire's Pleasure," surveyed for Adam Mires, 1745; "The Level Spring," surveyed for John Bragilton, Feb. 14, 1746/7; "Lewis's Forfeit," surveyed for William Lewis, 1755.

⁴³ The author has not been able to examine the County Court Proceedings of Prince Georges County, which might yield information on this point.

bounded white oak standing on a hill near the Wagon Road leading from Susquehannah towards Potomack." The author has unfortunately been unable to locate this tract, which now lies in York County.⁴⁴

A tract called "Ludwick's New Mills," 100 acres, surveyed for Ludwick Shriver May 10th, 1734, is described thus: "lying in Baltimore County on a creek called Connewangur (Conewago) Creek, beginning at a bounded white oak standing on the east side of the said creek a small distance to the southward of the Waggon Road leading from Connestogoe to Monockocy and not far from the aforesaid creek." The author has not succeeded in locating this tract.

A tract called "The Forest" surveyed April 9th, 1734, for John Magruder, is described as follows: "beginning at a bounded hickory standing about half a mile above the Wagon Road that goes from Conestoga to Opekin (where it) crosses a creek called Ketankin (Catoctin) Creek which falls into Potomack River about six miles above Manocacy."⁴⁵ Opequon is the name of a place in Frederick County, Virginia, near Winchester, and of a large creek descending into Potomac River some miles above Harper's Ferry. This record is very important, in that it indicates that the Conestoga Road passed entirely through Maryland, and that its ultimate destinations were not less distant from one another than the parts of Pennsylvania and Virginia which lie around Conestoga and Opequon, respectively.

A tract called "Forest of Needwood," 300 acres, surveyed for Captain Thomas Cressap June 4th, 1739, is thus described:

"John Lowe sold this tract May 21st, 1740, to John Henthorne of Baltimore County (Provincial Court Deeds, Liber E. I. No. 3, f. 135). Lowe was then a citizen of Prince William County, Va. On May 3rd, 1745, Henthorne sold part of this tract to Mathew Smiser, and the remainder to James Henthorne.

⁴⁵ Magruder also surveyed a tract called "Kitainkin Bottom," laid out for him January 1st, 1731, and described as beginning "at a bounded hickory standing at the mouth of a creek called Ketankin alias Simons Creek, which falls into Potomack about ten miles above Monocacy." This is one of the earliest references to Catoctin Creek.

"beginning at a bounded white oak standing on a draft of Connegochego Creek (Conococheague Creek) on the west side of the Waggon Road that leads from Potomack River to Susquehanna." This was probably not the Conestoga Road.⁴⁶

On William Mayo's map of the courses of the Rivers Rappahannock and Potomac, surveyed in the years 1736-1737, (reproduced in "The Wilderness Trail," Vol. 1, p. 156) a place on Potomac River about twenty-two miles above the mouth of Monocacy River is marked: "Wagon Road to Philadelphia." This, I believe, may be the place where the Conestoga Road

⁴⁶ Various references to early Western Maryland roads may be not without historical interest, even if they do not help us to solve our present problems. We present the following:

"The Forest," surveyed for Osborn Sprigg, May 28th, 1734, "beginning at a bounded white oak standing at the head of a small branch on the north side of Conegochiay Road near the Shanandore Mountains."

"Pile Hall," surveyed for Richard Sprigg, April 13th, 1734, "beginning at a bounded white oak standing near Israel Friend's Mill Road and near where the said road crosses a hill called Kittawkin" (evidently Catoctin Mountain).

"Antietom Levell," surveyed for Joseph Dobudge, December 1st, 1748, "beginning at a bounded white oak standing in the Lock of the Mountain on the east side of a draught of Antietom and near Cartlidges old Road."

"The Hazard," surveyed for Evan Shelby, October 23, 1739, "beginning at a bounded white oak standing on a draft of Little Conigocheige Creek within two poles of the Allegain Road."

"Meadow Land," surveyed for James Wardrop, April 14th, 1744, begins "at a bounded red oak tree standing on the top of a Rising near a place called the Dryhole about a mile to the east of the big Road that leads from Pennsylvania to the mouth of Conegocheeg."

"Smiths Hills," surveyed for Dr. George Stuart, December 27th, 1739, "beginning at a bounded white oak standing on the side of a hill within a quarter of a mile of the Waggon Road that crosses Anteatom."

"Dutch Delight," surveyed for Dr. Geo. Stuart, October 21st, 1739, "beg. at a bounded white oak standing on the side of a hill within a mile and a half of Conegocheige Creek and close by the Waggon Road."

"Charlton's Forest," surveyed for Edward Charlton, 1738, lies on Little Connegochego Creek on "Coburn's Road." "Maidens Choice," surveyed for Evan Shelby, 1739, lies on North Mountain on "Coleburn's Road." "Rich Land," surveyed for ditto, 1739, lies on "Connegochego Creek" on "Harris's Wagon Road." This tract adjoins "Forest of Needwood."

"The Vinyard," surveyed for Dr. George Stuart, December 17th, 1739, begins "at a bounded red oak standing on the west side of Antietom Creek within the (?) poles of Conegocheig Road crosses the said creek."

crossed the Potomac.⁴⁷ It is about six miles below the mouth of Opequon Creek.

A tract called "Mackey's Choice," surveyed for John Mackey August 28th, 1748, and patented to Thomas Bettey, is described as follows: "beginning at a bounded black oak standing on the north west side of a draught of Little Pipe Creek about thirty perches northward of the Conagastoga Waggon Road and about two miles northward of the aforesaid creek."⁴⁸

In his "History of Western Maryland," (Vol. 1, Frederick County, p. 436) Scharf, quoting from the Court Proceedings of Prince Georges and Frederick Counties, says:

"A new road (the old one being very crooked and stopped up by falling trees) was ordered to be laid out (the date is May 14th, 1749) from Monocacy ford leading to Lancaster, crossing his Lordship's Manor, Little Pipe Creek and Great Pipe Creek to the temporary line of the province." The essential part of the foregoing appears to be quoted from the original record.

Scharf quotes another record from the proceedings of the court of Frederick County, March, 1779, as follows:

"The author has found two references to early ferries of the upper Potomac:

"Anteatom Bottom," surveyed for John Moore, August 4th, 1739, begins "at a bounded hickory standing near Samuel Haylor's ferry by the side of Potomack River."

"Mountain," surveyed for Joseph Chaplin, September 27th, 1745, begins "at a bounded white oak tree standing on the side of a hill on the west side of Shenondore Mountain near the road that leads from Monocacy to Teague's Ferry."

"In a survey called "Dispatch" laid out for Daniel Dulany, 1743, a road is mentioned which may have been the Conestoga Road. This tract lies "on the east side of Big Pipe Creek and on the south side of the Wagon Road that leads from Pipe Creek to Conewago."

On September 24th, 1744, a tract of land was "reserved" for Lord Baltimore contained within the following bounds: "From where the Waggon Road from Connewango crosses Monocacy up the River to Pine Creek, then up and with Pine Creek six miles, and from thence to the aforesaid Road and down and with the said Road to Monocacy" (Plats, Division 4, No. 22, Land Record Office, Annapolis). A creek called Piney Creek empties into the east side of Monocacy River several miles above the mouth of Double Pipe Creek.

"The justices ascertained the following roads to be the main roads of Frederick County, and appointed the several persons following overseers of the same: From the road from Monocacy Ford, where John Hussey lived, that leads to Lancaster and from Monocacy, crossing my Lord's Manor, crossing Little Pipe Creek to Great Pipe Creek, and from Great Pipe Creek to the Temporary Line of the Province. Lower part to Henry Smith's branch; from thence to John Carnack's; thence with a straight line to Linganore—Joseph Wood. Upper part from Great Pipe Creek to the temporary line—Joseph Sparks."

To sum up the results of the evidence just presented regarding the Conestoga Path or Road: although there seems to be the very best reason for believing that the road crossed the valleys of Great and of Little Pipe Creek, and that it forded the latter in the neighborhood of Union Bridge, opinions should be reserved until further evidence is found. Between such relatively distant points as Conejoholo and the Potomac a single point mid-way, though fairly certain, is not sufficient for tracing a road. If we could but locate the ford on the Monocacy "near one Albine's plantation," we might then, with sufficient accuracy, trace the course of the road through Maryland. The location of John Magruder's tract on Catoctin Creek awaits investigation. Once this is found, the problem will at least be nearer solution. To ascertain the situations of "Ludwick's New Mills" and of "Providence" is also of high importance.

Historians of Frederick County, Maryland, and of York County, Pennsylvania, have much to say regarding a road called the "Monocacy Road" which crossed these counties and which, they claim, was of Indian origin.

In his "History and Biographical Record of Frederick County" Mr. T. J. C. Williams makes the following statement with regard to this road: "Long before there were any settlements in Frederick County parties of Germans passed through it going from Pennsylvania to seek homes in Virginia. The principal route for these people, coming as they did from Lancaster County, was over a pack horse or Indian road crossing

the present counties of York and Adams to the Monocacy, where it passed into Maryland, thence across Maryland through Crampton's Gap, crossing the Potomac at several fords." Speaking of the town of Monocacy, which he identifies with Craegerstown, Mr. Williams says that the town was situated on the Monocacy Road. "This road was constructed by the governments of Maryland and Pennsylvania, the Pennsylvania portion leading from Wrightsville or Wright's Ferry to the Maryland line, and that portion which crossed Maryland, leading from the line to the Potomac, was ordered by the Maryland Assembly. This road followed an old Indian trail and was the main highway from the east to the uplands of Virginia." "The Monocacy Road crossed the Monocacy at Poe's Ford." (*History of Frederick County*, pp. 2-3.)

John Gibson says in his "*History of York County*" (p. 231) that the Monocacy Road was an Indian trail "which extended across the territory now embraced in York County, to Western Maryland and Virginia." East of the Susquehanna, between Wright's Ferry and Lancaster, this trail, according to Gibson, was made into a county road in 1734. West of the Susquehanna, between Wright's Ferry and the Temporary Line, the road was converted into a county road in 1739.

Daniel Rupp, in his "*History of York and Lancaster Counties*," says that the Monocacy Road was "viewed" and located in 1739-1740. He quotes in full the original survey, which differs from the survey as quoted by Gibson in one important fact: Rupp's quotation ends with the words "to the Monocacy Road at the province line." These words are omitted by Gibson.

The explanation may be that the Monocacy Road, as Gibson says, was already in existence before 1739, but that the road surveyed in 1739-1740 did not follow it all the way, but intersected it at the Temporary Line. This "Monocacy Road" may explain some of the roads we meet with in early Western Maryland surveys.

An intimation of the existence of this road before 1739 seems to exist in a record quoted by Rupp ("*History of York and*

Lancaster Counties," p. 555) concerning Thomas Cressap: "Thomas Cressap declares he is waiting for armed men from Maryland to take prisoners all those who lived between John Wright's Ferry and Codorus Creek, because they refused to acknowledge themselves tenants to Lord Baltimore, 'and that then and till then he would waylay both the roads in order to take them.'" The date is 1736. Cressap may have been referring to the Monocacy Road and to the Conestoga Road.

On Scull's Map of Pennsylvania, 1770, the Monocacy Road is shown. The road crosses into Maryland not far above the junction of Alloway Creek and Monocacy River.

In his "First Settlements of Germans in Maryland" Schultz shows the location of Poe's Ford on Monocacy River slightly below Craegerstown, and says that the old Monocacy Road crossed the river at this ford, and that traces of the old road were still to be seen some years since.

It will be evident to anyone who will examine a map of this region, that the Monocacy Road mentioned by Schultz and Williams as crossing the Monocacy at Poe's Ford cannot be the same road as that shown on Scull's map, but it probably is the road laid out in 1739-1740 to the Temporary Line.⁴⁹ This road crossed the sites of York and Hanover.

Although it is possible that the upper Monocacy Road was of Indian origin, or followed the general direction of an Indian trail, the question must be left undecided until better evidence is forthcoming.

⁴⁹ The "Old Monocacy Road" alluded to by these writers may be the same as that mentioned in a survey called "Jack of the Green" surveyed for Edmond Purdy, November 26th, 1741, "beginning at a bounded black oak . . . standing on the side of a nole to the south side of old Monocacy road." This tract was resurveyed for Samuel Farmer, October 10th, 1751, and called "Samuel's Chance." It then lay in Frederick County. I have been unable to locate it.

Another road of this name (or possibly the same road) is discovered in a survey called "Rich Plains," laid out for Mathew Pigman, Feb. 8th, 1745, "beginning at two bounded spanish oak saplins on a ridge between two branches of Sineca about $\frac{3}{4}$ of a mile north of the Old Minorcocee Road commonly called Pybon's Old Road." This tract now lies in Montgomery County.

Indications of the former existence of an Indian road which crossed what is now Montgomery County and the lower part of Frederick County are found in a number of eighteenth-century surveys of that region. The eastern origin of the road can only be suspected; but there is proof that it went to Monocacy River, probably to the mouth of that stream.⁵⁰ Possibly it established a connection with the Conestoga Path somewhere beyond Monocacy River.

The following surveys contain references to this Indian road:

"Scotch Ordinary," surveyed August 10th, 1715, for Alexander Arthur, "beginning at a bounded black oak standing on a stony knowle by an Indian path near the head of a Deep Run which falls into Potomack River about two miles below the first falls right against an island of rocks."

"The Deer Park," surveyed for Ralph Crabb April 19th, 1722, "beginning at a bounded white oak standing in a glade of ye Muddy Branch (now Muddy Creek) a little to ye eastward of the Indian path."

"Flint's Groves," surveyed for John Flint July 4th, 1722, "beginning at a bounded white oak standing on the head of a glade of a branch on the west side of Sinacor Creek not far from the Indian path."

"Partnership," surveyed for Charles Diggs and John Bradford April 16th, 1728, "beginning at a bounded white oak standing on the south side of one of the branches of the main branch of Sinicor Creek known by the name of the Lick Branch near an Indian path."

⁵⁰ There was probably a ford near the mouth of Monocacy. A tract called "Partnership" resurveyed for Thomas Gittings, June 15th, 1742, begins "at a bounded white oak standing near the Upper Ford on the west side of Monocacy." The original "Partnership" surveyed for Thomas Gittings and Samuel Magruder, September 25th, 1730, bounded on "Carrollton," and hardly lies very far above the mouth of the river. "Welsh Tract," surveyed for Meredith Davis, April 10th, 1728, begins "at a bounded white oak on the west side of Monocacy near the Upper Ford." "Gunders Delight," surveyed for Gunder Erickson, March 5th, 1725/6, begins "at a bounded hickory standing on the lower side of Monocacy River a little below the Middle Ford."

"Buxton's Delight," surveyed for John Buxton October 17th, 1732, "beginning at a bounded red oak standing near the head of a glade of Sinnicar and in the main forks of the said branch about three miles above the Indian path."

"The Fork Grubby Hills," surveyed for Cornelius Eltinge July 1st, 1732, "beginning at a bounded white oak standing at a plain in the main fork of Sinicar below the Indian path."

"Retreat," surveyed for John Hughes May 30th, 1748, "beginning at a bounded maple standing on the south side of Great Seneca Creek near the Indian Ford."

"Gray Rock," surveyed for John Hughes June 3d, 1743, "beginning at a bounded white oak standing on the north side of Main Seneca about 200 yards below a foard called the old Indian foard and about 60 yards from the said Seneca."

"Abraham's Choice," surveyed for Abraham Neighbour October 27th, 1740, "beginning at a bounded white oak standing on the south side of Middle Sinica Creek, and on a small draft that runs into the said creek, and near the old Indian road that leads throw the White Ground ⁵¹ to Manocacy."

"Jeremiah's Park," surveyed April 17th, 1739, for Jeremiah Hays, "beginning at the end of the 13th line of a tract of land called Hanover ⁵² near a bounded black oak standing on a hill side above the Indian road that leads to Manocacy."

"Ray's Venture," surveyed for Luke Ray March 22d, 1743, "beginning at a bounded white oak standing on the south side of Little Monocacy near the mouth of a small branch which the old Indian road crosses." ⁵³

⁵¹ "Grubby Street," surveyed for Peter Dent, Jr., February 3rd, 1743, begins "at a bounded red oak standing on the side of a hill about 100 yards from a Rocky Branch and on the north side of the said branch which falls into Middle Sinica Creek near the White Ground."

⁵² "Hanover," surveyed for Dr. Patrick Hepburn, March 16th, 1722, begins "in the fork of one of the branches of Sinacor Creek."

⁵³ It is possible that the Indian road or path mentioned in the above surveys may have been the same as that to which a survey in Charles County called "Barkland" refers. This survey, laid out for James Biggars in 1694, is described as lying "on the west side of Patuxent River in the forkes of Williams Branch yt comes out of the branch at Zachia, beginning at a bounded hickory near ye Indian path side."

In concluding this series of articles the author feels obliged to make some apology for the extreme dullness and tediousness of his narrative. Where so much remains uncertain it is necessary to prove what one can, and the slightest evidence is not negligible in the face of so much uncertainty. Only by long and tedious effort, no narration of which can possibly be interesting; only by collecting here and there a fragment and by piecing the fragments slowly together, can a phrase, perhaps a line, of the lost, and for the most part irrecoverable, epic of the wilderness be regained from mystery and oblivion.

ADDENDA

Several new facts and bits of information, which have a bearing upon the theme of this article or its allied subjects, were discovered by the author after the manuscript had gone to press.

The most important of these was the discovery of an early reference to the Conestoga Road in a survey called "Brotherly Love," laid out for William Logsdon May 22d, 1730. This land is described as beginning "at two bounded white oaks in the fork of a branch descending into Conewaaga, and about twenty perches from a Road which leads from the said Logsdon's to Conestoga Road. . . ." The creek here mentioned is Conewago Creek, the creek on which the town of Hanover is situated. This land now lies in York County, Pennsylvania, and the author is ignorant of its exact location. This reference is important in that its date is several years earlier than the "clearing" or opening up of the old Conestoga Road by Captain Thomas Cressap. It is, in point of date, the second reference we have found to the Conestoga Road west of the Susquehanna River.

The trader, John Hans Steelman, appears under an extraordinary variety of names in the *Maryland Archives*. He is called "Captain Hanstilman," "John Hanstillman," "Captain John Hanstilman," "Captain John Hance," "John Hance," "Hans Tilman," "Captain John Hans Tilman" and

“Captain Hans”; but he signs himself “John Vrans Saelmans. (*Maryland Archives*, Vol. xxiii, pp. 93, 94, 95, 99, 234, 303, 304, 391, 426, 431, 444; Vol. xxv, pp. 104, 106, 131, 379, 380; Vol. xxxviii, 418.) He was naturalized in October, 1695. (*Maryland Archives*, xix, p. 281.) He is later (1698) described as “Interpreter in Chiefe for the Northern Parts of this Province.” (*Archives*, Vol. xxiii, p. 428.) He was sometimes called upon to give information about the numbers and places of residence of the Susquehannoughs, Delawares and Senecas. (*Maryland Archives*, Vol. xix, p. 520.) In 1700 he presented a bill for his expenses incurred in going to “Kanestoga” (Conestoga), and in 1702 he was again appointed to go to Conestoga. (*Archives*, xxiii, pp. 106, 131.) In 1697 Captain Steelman reports that “the Susquehannahs and Delawares and Shevanoes doe taken themselves and are inclinable to be under this province because of their hunting within the same betwixt Susquehannah and Potomoke.” (*Maryland Archives*, xix, p. 520.) Captain Steelman resided in Cecil County.

The reader of this article, whose mind may for the moment be occupied with the Conestoga Path or Road, on which we have lately laid so much emphasis, may need to be reminded of evidences we have elsewhere produced to show the existence of an Indian path for trade, hunting and war, which led across the Fork of Gunpowder River near tidewater, and went to Potomac River. This must have been one of the Susquehanna-Potomac trails in use when Captain Steelman made his deposition.

Proof that John Hans Steelman or “Hansteelman” was acquainted with the Monocacy country is furnished by a letter written by John Bradford to Colonel Addison of Prince George County, and read by Colonel Addison before the Council February 21st, 1721/2. (*Maryland Archives*, xxv, p. 379-380.) The letter concerns the murder of an Indian. It is of the more interest to us because it shows, what we might pardonably have inferred, but not otherwise known, that Conestoga traders were in the habit of visiting Monocacy to trade:

“Sir: I am honored with yours dated this day by Mr. Fraser that the great Sinicar Indian by the best account I can have was killed at Monocasey about ten days past by John Cartlidge of Conestogoe who was in Company with his Brother Edmund Cartlidge the way he murdered him was by making a violent stroke at his head with the Indians own gun and drove the head of the Cock into his Brains, the reasons of this Fact were, because the said Indian would not buy their Rum which they brought there to sell, the informers are John Hans Steelman Junior and some Indians who came soon after down to the Sugar Lands the two Cartlidges are undoubtedly returned to Conestogoe where they have their Families and very good Settlements soon after the Indian was dead they pack'd up their goods and travailed homewards I am since informed that Captain John Hans Steelman is come to Monocasey and hath sent for his son (who is gone back) to him from the Sugar lands whither he is fled for fear of the Indians the Frontier Inhabitants are altogether incapable of making any defence, having neither powder nor Ball I have sent what little I had by me to the Sugar Lands some Indians say that if the murtherer is brought to Justice the Sinicars will require no more.” Etc., Etc.

The place called the Sugar Lands lay on Potomac River between Broad Run and Seneca Creek, and extended back some distance. It appears to have been a belt of heavily timbered rich land. Probably the earliest mention of this place is in a survey called “Brightwell's Hunting Quarter” laid out August 29th, 1695, for Captain Richard Brightwell “about twenty miles above the falls of Potomack River on the land called the Sugar land.” In 1697 Captain Brightwell made a report of his “ranging” between Potomac River and the headwaters of Patuxent. (*Archives*, Vol. XXIII, p. 261.) In this report he mentions the Sugar Lands. Captain Brightwell then commanded a fort called “New Scotland,” which appears to have been situated at the Falls of Potomac River.

It must be evident to the reader that the “Hanstealmans Cabin” mentioned in the survey of “Park Hall,” 1727, was

probably nothing else than a trading-post belonging to the famous trader. Whether Peter Hance (Hance or Hans) was his son or a relative; whether the "path" mentioned in the survey of "Park Hall" was the Conestoga Path, are questions we are not yet at liberty to decide, but should certainly bear in mind.

Edmond Cartlidge afterwards settled in Maryland. A tract called "Marsh Head," surveyed for Readman Fullings September 1st, 1737, is described as beginning "at a bounded white oak standing at the head of a marsh or spring and about two miles from the now dwelling plantation of Mr. Edmond Cartledge." This tract is probably now in Washington County, if not in the western part of Frederick. Reference has elsewhere been made to a road called "Cartlidge's Old Road."

What appears to be an early reference to Opequon Creek is found in *Maryland Archives*, Vol. XIX, p. 566. The date is June, 1697:

"Major William Barton gives the following account in writing under his hands thus vizt:

"That pursuant to the order of his Excellency and Council he went into Virginia where the Emperor of Piscattaway and the Indians under his command doe now resort betwixt the two first mountaines above the head of occoquan River lying neare sixty or seventy miles beyond the Inhabitants where they have made a Forte in that manner and left the Province. . . ."

The invasion of the Opequon country by white settlers is treated in an article called "Early Westward Movement of Virginia" in the *Virginia Historical Magazine*, Vols. XI, XII, XIII. This invasion appears to have begun about 1730 or a few years later. There is little doubt that the Germans, who made up so substantial a part of this Settlement, came down from the north over the Conestoga Road.

On Fry and Jefferson's map of Maryland and Virginia, published in 1751, a road called "The Great Wagon Road to Philadelphia" is shown, which leads from Philadelphia west-

ward through Lancaster and York to Frederick Town or Winchester in Virginia and beyond to the southward. This road crosses the headwater branches of Monocacy and Antietam, and it crosses the Potomac at Williams's Ferry, some little distance above the mouth of Opequon (there called Opekan) Creek. This is undoubtedly the same road as that shown on Scull's map of Pennsylvania, 1770, and called thereon "Monocacy Road." It is not the Conestoga Road. Another road marked "Philadelphia Wagon Road" is shown crossing the Potomac about mid-way between the mouth of Opequon Creek and Harper's Ferry, and not far above the mouth of Antietam Creek. This is no doubt the road shown on Mayo's earlier (1736-1737) map, to which we have lately referred, and which we would identify with the Conestoga-Opequon Road.

A reference to William's Ferry (now Williamsport) earlier than that on Fry and Jefferson's map is in an unpatented certificate (Prince George County, unpatented certificate No. 332) of a tract surveyed for Jonathan Simmons June 13th, 1746, called "Shinell's Bottom" described as "lying in the manor of Conegocheeg," "beginning at a bounded hickory standing on the Banck of Potomack River at the head of a Bottom in the said manor and near a place called Williams's Ferry."

The author is indebted to Mrs. William Hyde Talbott of Rockville, Md., for knowledge of the Fry and Jefferson map and for the loan of a photostat copy.

The sites of the Shawnee towns on Potomac River are shown on Mayo's map of 1736-1737.

A tract called "Clovin," surveyed for Philamon Lloyd and Dr. Charles Carroll, December 3d, 1724, containing 10,790 acres, is described as beginning "at two bounded white oaks standing on the north-east side of a small branch which descends into a large run that descends into a creek called Linganoa Creek that falls into Monocacy." It will be remembered that this creek is called "Linganoa Creek" in the survey of "Carrollsbury," November 10th, 1724. Here we appear to have evidence as to the correct pronunciation of the Indian name of

this creek (unless by any possible chance it could be Irish?) "Clovin" was overlooked by the author in his search for early surveys on the Monocacy.

In 1728 Governor Gordon of Pennsylvania and his Council held a meeting at Conestoga. The Conestoga Indians promised the Governor that they would visit him after harvest, saying that he might then "look up the Conestoga Road and expect them." They referred, of course, to a road between Philadelphia and Conestoga. ("Authentic History of Lancaster County," by J. M. Mombert, p. 109.)

SEVEN PIONEERS OF THE COLONIAL EASTERN SHORE

ROBERT VAUGHAN, JOSEPH WICKES, THOMAS HYNSON,
JAMES RINGGOLD, AUGUSTINE HERMAN, RICHARD TILGHMAN,
AND SIMON WILMER.

PERCY G. SKIRVEN.

(Continued from Vol. XV, p. 251.)

PART II.

The fifth one of the "pioneers," Augustine Herman, a Bohemian, was born in Prague, and came to America to make his fortune. He died in Cecil County, Maryland, at "Bohemian Manor," his estate situated on the Bohemia River.

This brilliant man, from the central European country of Austria-Hungary, brought to America all the energy and careful training that men of rank in that country attained in those days. He was a surveyor by profession, a skilled geographer and a draftsman of no mean ability. His business acumen is attested by the large estate of which he became possessed and by the public positions which he held in the New Netherlands, and in Maryland.

As Augustine Herman made a statement to the Provincial Assembly of Maryland in 1663, four years after he first came

to the Province, when he petitioned that body to issue to him and his family naturalization papers, I shall give the official record which is in part as follows:

"Augustine Herman born at Prague in Bohemia and that Ephriam Georgius and Casparus sons to the said Augustine, Anna Margareta, Judith and Francina daughters to the said Augustine, were born at New York, out of the limits of this Province." It further states that they have "for many years inhabited within this Province invited hither by and confidence of your Lordship's Declaration of the 2nd of July, 1649."²⁵

Augustine Herman was the son of Augustine Ephraim Herman, Councilman of Prague, Bohemia, and his wife Beatrice Redel, daughter of Casper Redel, also of Prague. He was born in Prague in 1605, and settled in New Amsterdam in 1643. There, on December 10, 1651 he married Janetje, the daughter of Caspar and Judith Varlet. She was born in Utrecht in the Netherlands. Their children were Ephraim G., Casparus, Anna Margareta, Judith and Francina.

"Augustyn" Herman settled in New Amsterdam, now New York City in 1643,²⁶ and spent some years in the service of the Dutch West Indian Company. As he was a highly educated man he soon became one of the officials of the Dutch Settlement on the Hudson River and was looked upon as a very dependable citizen of that Colony.

Trouble having arisen between the Government of the New Netherlands and the Lord Proprietary of Maryland over the jurisdiction of the settlements on the Delaware River, it was determined by the Dutch at New Amsterdam to send a protest to Governor Fendall of Maryland and at the same time send soldiers down to "New Amstel," now New Castle, Delaware, to prepare for any trouble that might arise from the protest.

Peter Stuyvesant was Governor of the New Netherlands and on September the 20th, 1659, he sent as "Embassadors" to Maryland, Augustine Herman and Resolved Waldron. Ac-

²⁵ *Arch. Md.*, Vol. II, p. 144, also Kilty's *Landholders' Assistant*, p. 47.

²⁶ Appleton's *Encyclopedia American Biography*.

companying them to "South River," as the Dutch then called the Delaware, were the one hundred soldiers previously mentioned. From there on the two Embassadors travelled alone, and it was a very adventurous trip according to Augustine Herman's "journal" in which he kept an account of each day's progress and the principal incidents that occurred. His journal is printed with the public documents pertaining to the business between the two colonies in the Holland Records under the title of "New York Colonial Manuscripts."

On the 22nd of September the Embassadors reached the Elk River and continued down to the mouth of the Sassafras where they spent the night with a Mr. Turner. The next day, quoting from Augustine Herman's journal, "We reached toward evening (they had a very leaky boat, by the way!) the northern end of Kent Island and took up our quarters with *Captain Wykes (Wickes)* who resided on the point (Love Point) and who is one of three magistrates of Kent Island." In later years there is reason to believe that Augustine Herman always spent a night with Joseph Wickes when on his way to and from the Maryland Capitol, both at the Love Point Plantation and later at "Wickliffe" when Capt. Joseph Wickes built his home on Eastern Neck Island and took his family there to live.

From Captain Wickes Augustine Herman hired a sail boat and two men to row it should the breeze fail them. The next morning they set sail and reached the Severn River, spending the night at the house of "the father-in-law of Godfried Harmer the Indian trader." Captain Wickes went with them. On the following morning, Sunday, September 25th, 1659, he left them at the Severn. Augustine Herman and Waldron proceeded down the Chesapeake, reaching the Plantation of Major Billingsley at the Cliffs in Calvert County where they spent the night. On Monday, late in the evening, they reached the house of Mr. Coursey in the Patuxent River. Mr. Coursey extended to them the hospitality of a true Marylander and they spent the night with him, discussing their mission during the evening. The next morning they sent Captain Wickes' boat

back to Kent Island and "marched afoot overland nine English miles to the house of the Secretary," (Mr. Philip Calvert) with whom they talked of their mission for a short time and then went on to Mr. Symon Overzee's home across the creek to spend the night.

"Wednesday morning Mr. Overzee having invited Mr. Philip Calvert to dine he came, being the next neighbor, early in the afternoon to visit us. We asked him to inform Governor Fendall of our coming so that we could have an audience and be dismissed without delay." The following day "we drew up our proposal which we thought best to do in English in order to bring matters to a speedy conclusion." On Friday Mr. Calvert stated he had communicated with the Governor by letter. He also invited us to dine with him on Sunday. Nothing occurred on Saturday and on Sunday we were accompanied by Mr. Overzee to Secretary Calvert's Dinner." "After the cloth was removed we talked about his charts or maps of the country of which he laid on the table two that were engraved and one in manuscript." Though they became angry in discussing the rights of their respective governments "they parted with expressions of friendship." "On Wednesday, October the 5th, in the evening about sunset we received in answer a written invitation from Mr. Philip Calvert from the Governor and Council that we should have an audience at the house of Mr. Bateman sending with this view two horses to convey us there."

"The following morning we took our departure from Mr. Overzee's for Mr. Bateman's at Patuxent being about 18 or 20 English miles. We reached there in the afternoon. About 4 o'clock in the afternoon arrived Gov. Josias Fendall with Mr. Philip Calvert and the councillors [Capt. Wm. Stone, Thos. Gerrard, Col. Nathaniel Utie, Edward Lloyd, Luke Barber and Baker Brooks] who having welcomed us and after we had complimented them on the part of our Director General of the New Netherlands, Petrus Stuyvesant, thanked us cordially. Dinner being ready, the Governor said he would give us an audience after we had dined and sitting down to the table they placed

me beside the Governor on his left hand; on his right sat Mr. Philip Calvert, the Secretary, and next to him Resolved Waldron and so on the other members of the Council around the table. During the dinner a varied conversation was held."

"The cloth being removed we were invited to audience. We delivered first our letters of credence which Governor Fendall opened and seeing that they were written in Dutch he had Mr. Overzee called in to translate them." In the Archives of Maryland mention is made of this incident, and it is stated "they (the credentials) being in Dutch, Mr. Overzee *Englished* them."

Continuing from Augustine Herman's journal he says in part, "having stated the purport of the paper Mr. Overzee was translating, we proceeded to deliver our speech in English by way of a declaration and manifest which for this purpose we had previously committed to paper. We gave the Secretary the original and with him made a duplicate which was, after being read with the original signed and exchanged for the duplicate which was signed and exchanged."

"We spent the evening in talking with the several members over a glass of wine." They were told that Lord Baltimore was the last resort in discussing and settling the matter. "I had," says Mr. Herman, "a private conversation with Governor Fendall who expressed himself as friendly and would prefer to live in peace than to live in hostility and war. The next day, October 7th, after breakfast the Governor and council showed us Lord Baltimore's Patent. We requested a copy regarding the jurisdiction when we should answer it. We were then allowed to make an exact copy of it ourselves. Meanwhile the Governor and Council went on to hold their court at the next town whilst we drew up on paper a written refutation of the boundary jurisdiction as set forth in the Patent. The Governor and Council returned in the afternoon and supper being over we delivered the above mentioned answer in writing having read the same aloud."

In the "refutation" they stated that the King in granting this Charter to Lord Baltimore had been misled by Lord Bal-

timore's statement that the country was uninhabited save by a *certain Barbarous people, the Indians* whereas "our South River of old called Nassau River of the New Netherlands (by the English surnamed Delaware) was taken up . . . *from the High and Mighty States General of the United Provinces* long before! Therefore in his Royal Majestie's intention and Justice not to have given and granted that part of a Country which before was taken in possession and seated by the subjects of the High and Mighty States General of the United Provinces as is declared and manifested heretofore. Soe that the claim my Lord Baltimore's Patent (Charter) speakes of to Delaware Bay or a part thereof, in several other respects and punctuallity is invalid. Of which we desire that notice be taken—Actum as above.

(Signed) Augustine Herman,

(Signed) Resolved Waldron."

Continuing with Augustine Herman's journal he says: "whereupon we perceived a change and the Governor made his defence and demanded a view of our Patent of New Netherlands. We stated we had none to show and that we had come to prepare for *future* meetings of Deputies of both sides, then to dispose of the point, etc., etc. On the following morning the answer was read to us who were called in for the purpose."

The answer in part is as follows: ²⁷

"Honorable Lords:

"We have received your letter of credence by the hand of Seniors Augustine Herman and Resolved Waldron your Embassadors. Wherein we find many expression of love and amity so we account ourselves obliged to return to you real thanks in unfolding the causes of that which it seems hath been the reason of your astonishment and wonder, and as the matter shall permit give you that satisfaction which with reason you can expect and which we likewise shall exact from you in the

²⁷ *Arch. Md.*, Vol. III, p. 376.

rendering to us as substitutes of the Right Honorable Ceeilius, Lord Baron of Baltimore, Lord Proprietary of this Province of Maryland, that part of his Lordship's Province lying in Delaware Bay to us entrusted and by you, as it seems, injuriously seated (settled) in prejudice to his Lordship's just right and title.

"For answer therefore unto your demands by your said agents made:—We say that Colonel Utie was by us in persuance of a command from the Right Honorable the Lord Proprietary ordered to make his repair to a certain people seated upon Delaware Bay, within the 40th Degree of north latitude from the Equinoctial Line, to let them know that they were residing within our jurisdiction without our knowledge much more without our licence without grant of land from or oath of fidelity to his Lordship taken, etc., etc."

The next day, October 9th, 1659, "The Embassadors being come the letter was signed by the Governor, and by the appointment of the Council, by the Secretary in their name and dated vizt.:

"Given at Patuxent the 9th of October, 1659, and soe delivered to the said Embassadors."

The delivering of the above paper to Augustine Herman and Resolved Waldron terminated the "negotiations." Continuing with Augustine Herman's "journal":—

"Next morning, Sunday, October 9th, their Honor's answer fairly written out by the Secretary was placed in our hands, so we took a friendly leave."

They returned that afternoon, with Mr. Calvert, to Mr. Overzee's and the next day "prepared to dispatch Resolved Waldron to the South (Delaware) River and the Mannhattans (New York)." I quote further from his journal: "Tuesday, October 11th, sent off Resolved Waldron on his return *overland* with the reports, papers and documents respecting our negotiations, *and I set out for Virginia to ascertain the opinion of the Governor concerning this matter and thus to create some diversion*

between them both, also to clear ourselves, (the Dutch on the Hudson), of the slander which some people seek to attach to us that we had excited the Indians to massacre the English at Accomac."

In his report of the meeting at Patuxent which he sent to Governor Stuyvesant by Resolved Waldron we find *first mention of the map* which he later made of Virginia and Maryland and for the making of which he is said to have received a grant of land from Cecilius Calvert, Lord Proprietary of the Province of Maryland. Writing his report at St. Mary's on the very day that he had received the decision of the Council of Maryland he says in part, "my opinion is that possibly it would not be unwise for the Directors (meaning of the New Netherlands), who have cause enough to do so, to depute one of the Board to Lord Baltimore to see whether an agreement could not be made quietly with him. *But first of all* the South (Delaware) River and the Virginias with the lands and kills between them both ought to be laid down on an exact scale as to longitude and latitude in a perfect MAP that the extent of the country on both sides may be correctly seen and the work afterwards proceeded with, for some maps which the English have here are utterly imperfect and prejudicial to us. The sooner this is done, the better, before Lord Baltimore whispers in the ears of the States of England and thus makes the matter more difficult."

The evidence here clearly shows that Augustine Herman was then entirely loyal to the New Netherlands and it is certain that he intended that the map should be done by the authority of and paid for by that colony. We learn something of the map from a paper filed in a Provincial Court case about 1770 concerning Bohemia Manor in which a "journal of the first foundation of Bohemia Manor and Bohemia Middle Neck adjacent and appendent" is submitted. In this paper it is stated that "*Augustine Herman, a Bohemian born, in 1660, having made a proffer to Cecilius the First Absolutely Lord Proprietary of the Province of Maryland to make an exact Map of the country*

if his Lordship would grant unto him the above said lands for an inheritance to his posterity and privileges of a manor which by letters dated 18th of September (1660?) his Lordship *accepted* and recommended the granting thereof to the Rt. Honorable Philip Calvert, Esqr., Governor and it was then supposed the one tract was to contain 4000 acres and the other 1000 acres plantable land." Augustine Herman it is said "proposed to his Lordship in England the erecting of a town thereon and by letter of September 18th (1660?) his Lordship promised all reasonable privileges to Herman. He was willing to have the town called Ceeilton and the county Ceeil County sending to that purpose a charter as foundation to all other townships in the Province."

In 1660 Augustine Herman received a certificate of survey dated June 3rd for a large tract, about 4000 acres of land which he called "Bohemia Manor" on the northern side of Herman's Creek" in Cecil County.²⁸

So infatuated was this sturdy Bohemian with the delightful site which he selected for a home he was not dismayed when he found that, owing to the fact that he was not born of English parents and that he was not a citizen of the Province, he could not convey by will the lands which had been given him by Lord Baltimore. Owing to the fact that Augustine Herman had so impressed Lord Baltimore, through his brother Philip Calvert, then Governor of Maryland, with his great ability, both as a geographer and as a business man, Cecilius Calvert, then Proprietary, authorized Governor Philip Calvert to issue a proclamation on the 14th of January, 1661, declaring Augustine Herman a "free denizen of this our Province," thus enabling him to hold the lands above mentioned.

The proclamation of denization should not be confused with the "Naturalization" of Augustine Herman. The first enabled him to hold lands, the latter made him a naturalized citizen. He was the first foreign born person to be made a naturalized citizen of the Province of Maryland.

²⁸ *Rent Rolls for Cecil County*, p. 134.

Just as soon as he was made a "denizen" Augustus Herman set about to add to Bohemia Manor and on May 2nd, 1661, he had surveyed on Little Bohemia River 1000 acres which was later (1681) taken into *Bohemia Manor*. At this time he held 5100 acres of the best lands along the Bohemia and having realized the uncertainty of life he resolved to arrange his affairs so that his children would be taken care of in case of his death. He made his first will under the date of the 24th of May, 1661, though he did not die for twenty-five years after.²⁹ In this will he calls himself *Augusteene Herman, Merchant of Baltimore County*. (Cecil County was in 1674 erected by taking into its bounds that part of Baltimore County which was lying east of the Chesapeake Bay and also a part of Kent County.) He left his property, Bohemia Manor, etc., to his two boys, Ephraim and Casparus, the will is "not to be in force until the day of my certain decease, after which I humbly desire the Honorable Governor and Council of this Province that they will be pleased to ordain two or three honest persons of trust to have the oversight and management of the above said plantation for the use and benefit of the above named Ephraim and Casparus Herman enduring their minority, etc., etc." No mention is made in the will of his daughters.

Busy with the affairs of his estate and with the collecting of data for the map which he had begun he found that he would now enjoy the mixing in public life at St. Mary's, he, therefore, petitioned the Upper House on September 17th, 1663, for naturalization papers. In the Provincial Council Proceedings³⁰ it is "*Ordered* that an Act be prepared for Augustine Herman and his children and his brother-in-law George Hack and his wife and children." This measure took several years to materialize.

In 1664 Augustine Herman received certificates for two more tracts of land as follows: 1500 acres called "Small Hopes," surveyed on the 10th of August, on east side of Bohe-

²⁹ Annapolis, *Test. Proc.*, Vol. I, p. 31.

³⁰ *Arch. Md.*, Vol. I, p. 462.

mia Back Creek and which was incorporated in 1683 in the last piece of land that was granted to him "Bohemian Sisters"; also 150 acres called "Mill Fall" surveyed 12th August, 1664, at the head of Bohemia River and located very close to the present Maryland-Delaware Boundary line.

The following year 1665, Augustine Herman's map is mentioned in an official document from Cecilius Calvert to his son Charles, who was then Governor of the Province. Lord Baltimore says in part: "Whereas, Mr. Augustine Herman now resident in our said Province hath taken great pains and care in order to the *drawing and composing of a certain map or card* of our said Province and of the limits and boundaries of the same and is shortly intended to print and publish the same, we do will and require you that after the said map shall be printed and published and in case upon the strict perusal and examination of the same you shall find that the said Herman hath done us right in stating the said limits and boundaries of our said Province, justly and truly *and particularly* in the true stating of the said boundaries and limits in *relation to Watkin's Point and Delaware Bay* that in such case you recommend the said Herman heartily and effectually in our name to the General Assembly of our said Province *in order to the receiving some reward from them* for his said pains and care and that in the meantime you assure the said Herman in our name that in case he do us right as aforesaid upon the *first notice thereof to us* given from you, our said Lieutenant General or you our said Council, *we will give directions and orders for his immediate naturalization as he hath desired us.*

"Given under our hand and seal at arms 16 Feby. 1665.

C. Baltimore."

Herman while still at work on his map had asked the Lord Proprietary to grant him naturalization papers which grant depended upon the correctness of the map! His map was completed about 1670, costing him about £200 sterling, not counting his labor, taken to London and there engraved on copper

from which it was first printed in 1671/2. It is most remarkable for the nearness of the shorelines shown in it to those shown in the accurate maps of the present generation. It was very much more of a task to collect data in Herman's time than now and besides the geographer of today has for a guide the maps prepared in previous generations. Herman had access no doubt to few of the early maps that were of any service to him. He had copies of "a map which was printed in Amsterdam by direction of Capt. Smith, the first discoverer of the Great Chesapeake Bay and another map which also appeared to have been printed in Amsterdam at the time of Lord Baltimore's Patent."³¹

Lord Baltimore's instructions to his son evidently hurried the necessary legislation upon Augustine Herman's naturalization papers for on April 10, 1666, his petition being put into the form of a bill was assented to by both the Upper and Lower Houses of Assembly and signed by John Gittings, Clerk of the Upper House, and William Bretton, Clerk of the Lower House.³²

An interesting incident occurs at this time in the life of Augustine Herman. Some time prior to the acquiring of the "Mill Fall" property in 1664 there came to live with Augustine Herman one John Brett. Who he was or where he came from, I do not know, but after a short illness of some two weeks Brett died, on August 17th, 1664, at the Bohemia Manor House and Letters of Administration on his estate were granted to Augustine Herman. On April 26th, 1666, Herman rendered an inventory and account of the estate.³³

It appears that Brett had a partnership agreement with a Mr. Henry Goodrich and they seem to have been trading in different parts of the Chesapeake Bay and tributaries with the Indians for there were several arms length of "Roanoke" mentioned in the inventory. That he had been in Dorchester County is certain because he held a bill for 500 pounds of tobacco for a

³¹ Augustine Herman's Journal.

³² *Arch. Md.*, Vol. II, p. 144.

³³ Annapolis, *Test. Proc.*, Vol. IA 67, and IF, 75.

cow and calf which bill had been given to Bryan O'Maly by that pioneer of the Huguenots in Maryland — Anthony Le Compte—to whom O'Maly sold the cow and calf. Brett's boat "a Dutch sloop with sails, rigging and grappling" was inventoried at 4000 pounds of tobacco and his wearing apparel consisting of "a broad cloth short coat, a doublet and britches, a Holland shirt, a course black hat and a satin doublet" amounted in all to 375 pounds of tobacco.

Augustine Herman's charges against the estate were for "accommodation and attendance in his sickness, his burial sheet, *his funeral dinner for all ye neighbors* and other necessary expenses calculated to ye sum of 1000 pounds of tobacco." Robert Morgan and his wife, neighbors, were paid "120 pounds of tobacco for seven days watching at Mr. Brett's own request!" "To Doctor Fisher for physic administered to John Brett in his sickness 600 pounds of tobacco!" The inventory was taken by Mr. John Collet, High Sheriff, and the estate was appraised by Thomas Browning and William Savon (alias Satsinfoone) and sworn to before Captain Thomas Howell, one of his Lordship's Commissioners.

Augustine Herman was made one of the Commissioners of Justice for Cecil County when it was erected on June 6, 1674, and served as such in 1675 and 1676³⁴ and in 1678, June 13th, he was named one of a commission to treat with the Indians (Delawares) then living in Cecil County.³⁵

In 1678, 14th November, Augustine Herman received another large tract of land which he called "Misfortune." It contained 1339 acres.

Lord Baltimore was before the Lords of the Committee of Trades and Plantation on March 26th, 1678, at London to answer some pertinent question about the Province of Maryland and regarding the boundaries. To the 10th question of the series he says: "I answer that the boundaries longitude and latitude of this Province are well described and are set forth in a late Map or Chart of this Province lately made and pre-

³⁴ *Arch. Md.*, Vol. xv, pp. 38-77.

³⁵ *Ibid.*, Vol. xv, p. 175.

pared by one Augustine Herman, an inhabitant of the said Province and printed and publicly sold in London by his *Majesty's license* to which (map) I refer for greater certainty."

To better secure his different land surveys Augustine Herman applied for a new survey in February 1681 and wrote Mr. John Llewellyn, the then Register of the Land Office for the Western Shore of the Province of Maryland, that an error was made in his patent to Bohemia by leaving out Town Point in his map giving the outlines of that tract and a new survey was made of "Bohemia Manor" on 6th October, 1681, which survey called for 6,000 acres on the east side of Elk River on a branch of Bohemia River. A few days later, October 28th, 1681, another tract "Little Bohemia," 1000 acres was surveyed for him.³⁶

Augustine Herman and his neighbors James Frisby, Edward Jones, George Oldfield, Henry Ward and Henry Johnson received a letter from William Penn, dated London, England, 16th September, 1681, addressed to them as "My Friends at their Plantations in *Pennsylvania*" in which letter he cautions them not to pay any more taxes to Lord Baltimore and signs the letter: "Your real friend, Wm. Penn." He thus intimates that they then lived within the bounds of Pennsylvania and this letter is the initial move in the long series of disputes between the Penns and the Baltimores. The first of the meetings arranged to bring about a settlement of the dispute, took place at New Castle, Delaware, in September, 1682, and Charles Calvert, the Third Lord Baltimore, with twelve of his advisers, went to Mr. Augustine Herman's house on September 19th on his way to New Castle. He also stopped at Bohemia Manor on his way back to Patuxent, his Provincial home.³⁷

One more tract, the last one Augustine Herman ever received, was surveyed for him on the 27th September, 1683. This tract contained 4100 acres and he named it "Bohemian Sisters" in honor of his three daughters, Anna Margaretta, Judith and

³⁶ *Rent Roll Cecil County*, p. 105.

³⁷ *Arch. Md.*, Vol. v, p. 378.

Francina. This property was located "at the east point of Long Creek or Margaret's Creek, on the north side of Bohemia Back Creek."³⁸

Augustine Herman died in 1686 having made, two years previous, a will which bears the date of September 12th, 1684, and is recorded in part in the Land Office at Annapolis.³⁹ There is also recorded in the same office in another record book,⁴⁰ a complete will bearing date September 27th, 1686, by which the testator distributes his large estate. A public record appears of where Mathias Vanderheyden,⁴¹ who married Anna Margaretta Herman, eldest daughter of Augustine Herman, made a statement to the Provincial Assembly on June 8th, 1692, as follows: "A will of Augustine Herman being torn out of the record as likewise the original is lost does therefore produce in this Lower House of Assembly a copy of the said will, intimating likewise that Mr. Edward Jones and Mr. Samuel Wheeler, members of this House were witness to the will desiring the same to be entered upon record, accordingly came Mr. Edward Jones and Mr. Samuel Wheeler two of the delegates for Cecil County in the House of Assembly and upon perusal of the copy of the will of the said Augustine Herman here produced, they did declare and testify upon oath it to be a true copy and the very same in effect with the original to which they were witnesses to the best of their knowledge and remembrance, which was ordered to be noted in this Journal and the said copy of the will to be recorded in the Commissary's Office." This probably accounts for the partial will found copied in Liber 4 G, p. 228, mentioned above. In the Records of Maryland⁴² in the Land Office at Annapolis under date of 26th June, 1686, is recorded: "Augustus Herman, Bohemian, late of Cecil County, deceased, did in his lifetime make his last will and testament writing and therein appointed: Ephriam Herman,

³⁸ *Rent Rolls Cecil County*, p. 105.

³⁹ *Annapolis Wills*, Liber 4 G, 228.

⁴⁰ *Ibid.*, Liber 6, p. 62.

⁴¹ *Arch. Md.*, Vol. VIII, p. 324.

⁴² *Annapolis, Test Proceedings*, Vol. XIII, p. 335.

Casparus Herman, John Thompson, Executors, who pray letters testamentary." The letters were granted. Col. John Thompson, one of the executors, married Judith Herman, second daughter of Augustine Herman.

Dr. Richard Tilghman, the sixth of the "pioneers," of the "Hermitage" on the Chester River, in making his will calls himself a "Chirurgion." He was the son of Oswald Tilghman⁴³ of London and his wife, Abigail Tayler, daughter of Rev. Francis Tayler, vicar of Godalming, Surrey, England. Doctor Tilghman was born in London on the 3rd of September 1626, and came to the Province of Maryland in 1657 in the ship "Elizabeth and Mary," bringing with him besides his wife, who was Marie Foxley of London, 18 persons for whom he demanded of the Proprietary a special warrant for 1000 acres of land.⁴⁴ The warrant was made returnable on the 25th December, 1659. Upon this warrant a certificate was some years later issued and 400 acres were "surveyed 10th of October, 1666, for Richard Tilghman"⁴⁵ which he called "Tilghman Hermitage" and upon which he built his home. This tract of land had formerly been surveyed, 15th September, 1658, for John Coursey and called "Cedar Branch," but Coursey allowed the land to escheat to the Proprietary and Doctor Tilghman being impressed with the place and the ideal water view from the spot on which he afterwards built his home, selected it as part of the land due him on his warrant of 1000 acres.

The "Hermitage" as it is now called, is one of the "show places" of Maryland and from the wide veranda can be seen the low lying shores of Kent Island, Eastern Neck Island and lower Kent County, all lying across the Chester River, which is one of the prettiest bodies of water in America. It is several times wider than the Thames River in England, on which is situated London, the city from which Doctor Tilghman emi-

⁴³ *Maryland Families*, Mackenzie.

⁴⁴ *Annapolis, Warrants*, Vol. IV, p. 20.

⁴⁵ *Rent Rolls*, Queen Anne's County, p. 252.

grated. This magnificent estate lies only a few miles north of that quaint old village which is honored with the name of Queen's Town, so named for "Good Queen Anne."

Near neighbors to Doctor Tilghman were, Solomon Wright on "Reed's Creek," William Coursey, on "Coursey's Neck," now called "Blakeford" and owned by DeCoursey Wright Thom, Esq., of Baltimore, and on "Bowlingly" at Queen's Town, granted in 1658 to James Bowling, Henry Hawkins made his home during Doctor Tilghman's lifetime.

In those days travel was by boat and Doctor Tilghman attended his patients who lived along the shores of the Chester River and its tributaries in his little "batteaux" rigged with a "leg o' mutton" sail. When there was no breeze his slaves rowed the boat. He could see from his home, at the "Hermitage," "Wickcliffe," the home of Major Wickes and "New Yarmouth" the county seat of Kent County. "Chesterfield" the home of William Hemsley was not far away. Other homes along the shores of the Chester River were in plain view of the "Hermitage."

To the rear of the "Hermitage" mansion is the graveyard, it being customary in Colonial times to bury the dead on the plantations. Under the weeping willows, mid the boxwood and lilacs are buried the Tilghmans who have lived there for the past two hundred years and over. There is seen the elaborate stone that covers the grave of Doctor Tilghman. The inscription is in Latin, and is as follows:

"Vale"

Ita Dixit

RICHARDUS TILGHMANUS B. M.

In artique chirurgi Magister qui

sub hoc tumulo sepultus est

Obiit, Janu. 7 mo. Anno 1675."

He was Sheriff of Talbot County in 1670 and served the Proprietary with distinction.⁴⁶

⁴⁶ *Arch. Md.*, Vol. v, p. 20.

In 1673 Doctor Tilghman made his will leaving his then large landed estate to his sons, William and Richard Tilghman and his daughter, Rebecca Tilghman, who married Simon Wilmer. The latter received a tract called "Poplar Hill," as her portion of her father's estate and inherited part of "Tilghman and Foxley Grove," a large estate in Kent.

Dr. Richard Tilghman and Marie Foxley were married in England and with their two young children Samuel born December 11th, 1650, and Mary, born February, 1655, came as previously stated to Maryland and settled at the "Hermitage" —1661.⁴⁷

William Tilghman, their next son, was born February 16th, 1658, shortly after they came to Maryland, and died in 1682 without issue. Rebecca Tilghman, their next child married in 1681 Simon Wilmer and went to live on "Stepney" in Kent County, the property he had acquired when he first came to Maryland and upon part of which property Chestertown now stands.

Deborah, third daughter of Dr. Richard Tilghman and Marie Foxley Tilghman, his wife, was born March 12th, 1666, and Richard Tilghman, their third son and last child was born February 23rd, 1672, and died January 23, 1738. This last son of Dr. Richard Tilghman and his wife, Marie Foxley Tilghman, inherited a large landed estate from his father.

Colonel Richard Tilghman, just mentioned, married January 7th, 1700, Anna Maria Lloyd, daughter of Col. Philemon Lloyd (son of Col. Edward Lloyd) and his wife, Henrietta Maria Neal Bennet, widow of Richard Bennett, Senior, and had eight children: (1) Mary Tilghman, who married James Earle, October 12, 1721; (2) Col. Richard Tilghman, who married Susan, daughter of Peregrine and Elizabeth Sewall Frisby; (3) Henrietta Maria Tilghman, who married first, George Robins, and second, William Goldsborough, ancestor of Phillips Lee Goldsborough, Governor of Maryland from 1912 to 1916; (4) Anna Maria Tilghman, who married first, Wil-

⁴⁷ Geo. N. Mackenzie.

liam Hemsley, and second, Col. Robert Lloyd; (5) William Tilghman, who married his cousin Margaret Lloyd, daughter of James Lloyd; (6) Col. Edward Tilghman of Wye married second, Elizabeth Chew, a daughter of Dr. Samuel Chew of Philadelphia, a man of great wealth and prominence, whose son, Col. Edward Tilghman, became the Chief Justice of the Province of Pennsylvania and married his cousin, Elizabeth Chew, daughter of Benjamin Chew, Chief Justice of Pennsylvania in 1774; (7) James Tilghman, Secretary of Penna. Land Office 1765, married Anna Francis, daughter of Tench Francis of Faultsley, Talbot County, and moving to Philadelphia in 1760 was rewarded for his sterling qualities as a lawyer with several offices, the last one being that of Provincial Chancellor of Pennsylvania, January 29th, 1767. Because of his Toryism he resigned this important office, went to Kent County, Maryland, and bought July 10, 1767, "Camel's Worthmore," now the home of the Reverend Sewell S. Hepburn, rector of I. U. Parish, where he died August 24, 1793, and was buried at St. Paul's Church, Kent County. There his grave is marked with a large slab reciting some of the above facts. James and Anna Francis Tilghman had ten children, the oldest Col. Tench Tilghman, General Washington's aide-de-camp, was born December 25th, 1744, and became famous for having carried the news of the surrender, October 19th, 1781, of Lord Cornwallis' Army at Yorktown to the Continental Congress then sitting in Independence Hall at Philadelphia. Col. Tench Tilghman's father, James Tilghman, Esq., was first cousin of Frances Wilmer, who married Samuel Wickes of "Wickeliffe" (8) Matthew Tilghman, the last son of Col. Richard and his wife, Anna Maria Lloyd Tilghman, was affectionately called by his colleagues in the Provincial Convention during the Revolutionary War times, the "Patriarch of the Colony." He was chosen President of the Maryland Provincial Council in June 1774 and presided at all of its meetings, with the exception of two, until November 11th, 1776. He was also Chairman of the Delegates from Maryland

to the Continental Congress, serving in that body with Samuel Chase, Robert Goldsborough, his cousin, William Paca, Robert Alexander, John Hall, Thomas Johnson, who became the first Governor of Maryland as a State, John Rogers, Thomas Stone, Benjamin Rumsey, Charles Carroll of Carrollton and William Smith.

Matthew Tilghman married Anna Lloyd and their daughter, Anna Maria Tilghman, married June 9th, 1783, her first cousin, Colonel Tench Tilghman, mentioned above, and to them were born two daughters, one of whom married her cousin Tench Tilghman of "Hope," Talbot County, ancestor of Col. Oswald Tilghman, who was Secretary of the State of Maryland under Governor Edwin Warfield, 1904 to 1908.

When General George Washington heard of the marriage of his beloved aide, Col. Tench Tilghman, he wrote him:

"Why have you been so niggardly in communicating your change of condition to us, or to the world? By dint of inquiries we have heard of your marriage, but have not got a confirmation of it yet. On the presumption however that it is so, I offer you my warmest congratulations and best wishes for the enjoyment of many happy years; in both of which Mrs. Washington joins me cordially."

Col. Tench Tilghman died April 18th, 1783, at his home on Lombard Street in Baltimore, and was buried in Old St. Paul's burying ground, and afterwards his body was removed to the old burying ground at Lombard and Fremont Streets, Baltimore.

The family's coat of arms and crest are described as follows:

Arms: Per fesse sa. and ar., a lion ramp. regard: double queued, counterchanged crowned, or.

Crest: A demi-lion issuant; statant, sable, crowned or.

The seventh of the "pioneers" was Simon Wilmer.

It is said that Simon Wilmer is descended from that branch of the English family of that name of whom William Wilmer of Sywell, was the head in 1613.

His coat-of-arms was: Gu. a chev. vair, between three eagles, displayed or; and his crest an eagle's head or, between two wings expanded vair.

In the Provincial Court Records of Maryland now lodged in the Land Office at Annapolis is found the first public record ⁴⁸ of Simon Wilmer of Maryland. In 1699, is found a copy of a "power of attorney" made in London under date of October 2, 1678, given to Simon Wilmer "now in Maryland, late Servant Factor or agent to and for my said father, James Holland, citizen and grocer of London in and for his affairs and revenue in Maryland and Virginia. Signed: Priscilla Holland of London, Spinster, daughter and administratrix of James Holland. Witnessed by: Sidney Montague, Edmund Skinner, John Browne."

The following record is a copy of a power of attorney given to Simon Wilmer one year later, 18th September, 1679, by "Richard Perry of London, Merchant" who appoints "for divers good consideration, Simon Wilmer of London, Merchant, my true and lawful attorney and agent for me and in my name and for my use to manage, govern and carry on a Manor or Plantation called the Resurrection Manor in Patuxent, Maryland. Signed: Richd Perry. Witnesses: Thomas Smithson, Timothy Keyser, G. Stanlake."

Additional light is thrown upon Simon Wilmer's coming to the Province by the affidavit made by Thomas Smithson, one of the witnesses to the above paper, before Col. Vincent Lowe at St. Mary's, April 23, 1680, in which he made oath that "he saw Richard Perry sign, seal and *deliver* the same (power of attorney) to Simon Wilmer, Merchant, *then* bound from London in the Kingdom of England unto Maryland in America."

These papers show that Simon Wilmer had been in the Province in 1678, had gone back to England in 1679 and returned to Maryland between September 18th, 1679 and April 23rd, 1680. In the Rent Rolls for Kent County ⁴⁹ is a record which is as follows: "Wilmer's Farm, 500 acres surveyed 20th May,

⁴⁸ Liber. W. B. C., Vol. I, 1676.

⁴⁹ P. 40.

1680, for Simon Wilmer at the head of Ratcliffe Cross Creek (a branch of Chester River." This shows that he must have received his warrant for the land some time previous to that date, probably three months prior, the usual time allowed the surveyor after the warrant was issued by the Land Office. That would indicate that Simon Wilmer came about January 1680.

In the following July (31st) Simon Wilmer had surveyed for him "Buckingham" 500 acres on the north side of Chester River which tract bears that name to this day. With this tract and "Wilmer's Farm," mentioned above, and the tract called "Tilghman's and Foxley Grove," 1000 acres, which his wife, Rebecca Tilghman inherited from her mother, Mrs. Mary Foxley Tilghman, widow of Dr. Richard Tilghman of the "Hermitage," made Simon Wilmer one of Kent's largest land holders. Nor did he stop with that. He had surveyed "Piner's Grove," 260 acres, on August 25th, 1687, and on September 22nd, 1687, he had surveyed "Kemp's Beginning," 320 acres on Muddy Creek Branch of the Chester River. Later, on the 24th of November, 1694, "Chigwell," 200 acres, was surveyed for him. This latter property is said to have been so named by Simon Wilmer for a township in England that was the seat of a branch of the Wilmer's from whom he was descended. In writing of the Right Reverend Richard H. Wilmer, the second Bishop of Alabama, born in Kent County at the ancestral home, Walter C. Whitaker says in part: "When Charles I was beheaded and Cromwell became Protector of England they (the Wilmers) were forced to join in the Cavalier emigration in order to escape the tender mercies of Puritan intolerance. They settled on the Eastern Shore of Maryland and there remained for more than a hundred and fifty years." He was correct in his statement in part only for the Wilmers now living in Kent County are direct descendants of Simon Wilmer and that makes them residents of that county for two hundred and forty years.

Upon his arrival in the Province in 1680 Simon Wilmer doubtless went first to the home of Dr. Richard Tilghman at the "Hermitage." By some unknown relationship he seemed to be from records extant a kin of the Tilghmans. In 1674,

one Thomas Wilmer, then living at Henry Michel's house in Talbot County was taken sick, and according to an account rendered to the Provincial Probate Court in 1675 by George Robins, administrator of Thomas Wilmer, Dr. Tilghman turned over to George Robins the books of Thomas Wilmer. He also mentions going to Doctor Tilghman's to appraise the estate of Thomas Wilmer. George Robins also paid Dr. Tilghman "2000 pounds of tobacco for board ("dyett") and funeral charges of the deceased Thomas Wilmer." He also paid Bryan O'Maly "for his trouble and charge in bringing Thomas Wilmer to Dr. Tilghman's (from Henry Michel's?)." He also paid 2520 pounds of tobacco for "attendance and physick in the time of his sickness."

The above has been inserted to show that there seemed to be some relationship between the Wilmers and the Tilghmans and it is reasonable to suppose that Simon Wilmer upon coming to Maryland went directly to Dr. Tilghman's home. Very shortly after his arrival in 1680 he married Rebecca Tilghman, the second daughter of Dr. Richard Tilghman, and his wife Marie Foxley Tilghman of the "Hermitage."

Simon Wilmer was a gifted man and in addition to being a successful business man he was a surveyor of ability. The first mention of him in the Maryland Public Records ⁵⁰ was in 1687, at which time he was appointed a Commissioner of Justice for Kent County, and sat in the November term of Court that year. When the petition from Kent County was sent to the King of England, bearing date of November 16th, 1689, in behalf of Lord Baltimore, Simon Wilmer was one of the signers. In 1693 when St. Paul's Parish in Kent County was laid out in accordance with the Act of 1692, establishing the Church of England in the Province, Simon Wilmer was one of the first vestrymen chosen for that parish.

He served as a burgess from Kent County to the Provincial Assembly at Annapolis from March 10th, 1689, to and including July 22nd, 1699 ⁵¹ and his services in that body were highly appreciated by Governor Francis Nicholson. During the

⁵⁰ *Arch. Md.*, Vol. VIII, p. 23.

⁵¹ *Arch. Md.*, Vol. XXII, pp. 6-354.

Spring session of the Lower House, he was named on the Commission to revise the laws of the Province, a very flattering place. With Simon Wilmer on this Commission were Mr. Philip Clarke, a lawyer of fame, Mr. James Crawford, Mr. William Hemsley of Queen Anne's County (then Talbot County), Esquire Tench, another famous lawyer and Colonel Robotham, the last two named were representing the Upper House (Council) on the Commission. They met at the house of His Majesty's (King William's) Secretary of the Province of Maryland, Sir Thomas Lawrence.⁵² Again, on October 27th, 1698, while still a member of the Provincial Assembly, he and his brother-in-law, Colonel Richard Tilghman, were named on a Committee to examine the "body of laws of the Province and to return a list of the same showing:

First, all the laws; second, all the laws that are perpetual; third, all temporary laws; fourth, all laws that have been repealed; fifth, all laws that have expired."

He was made surveyor of Kent County 29th June, 1694, and when there was an Act of Assembly (passed April 4th, 1697) "for the better Division of St. Paul's and Shrewsbury Parishes" Simon Wilmer was designated in the Act to run the line between the two parishes. The Act reads in part as follows:⁵³

" . . . That from and after the tenth day of June Anno Domi 1698 . . . all the land and inhabitants on the south side of Churn Creek and branch thereof and division line to the rideway over the branch of Morgan's Creek, down the Chesapeake Bay to the extent of Cecil County be added to St. Paul's Parish in Kent County on the north side of Chester River and always to be reputed in St. Paul's Parish, any Law, Custom or Usage to the contrary notwithstanding. And be is further Enacted . . . that Mr. Michael Miller of Kent County, Gentleman, and Captain Edward Blay of Cecil County be present with Simon Wilmer, Surveyor of the said County at the running and making of the *Division Line* and that they return the

⁵² *Arch. Md.*, Vol. XXII, p. 47.

⁵³ *Ibid.*, Vol. XXII, p. 149.

survey and a fair demonstration of the division line . . . as well under the hands and seals of the said Mr. Miller and Capt. Blay as the said Simon Wilmer unto his Excellency the Governor.” ⁵⁴

Mr. Michael Miller was a vestryman of St. Paul’s Parish and married Martha Wickes, daughter of Major Joseph Wickes of “Wickcliffe.” Martha Wickes’ brother, Samuel Wickes married Francis Wilmer, daughter of Simon Wilmer.

When the Court House was first built at Chestertown Simon Wilmer was paid by the Commissioners “for laying out the land, three acres, for the Court House.” ⁵⁵ For this survey he received 200 pounds of tobacco. Another interesting item in the above records is the following:

“To Simon Wilmer’s negro, James for hair in plastering the Court House, 190 pounds Tob.”

The Court days were busy ones in those times and the Commissioners paid Simon Wilmer 400 pounds of tobacco to keep the ferry over Chester River for the convenience of inhabitants coming to Court.”

In the Land Office at Annapolis, ⁵⁶ is recorded Simon Wilmer’s will, dated August 10, 1699, and probated September 16th, 1699. In the will he calls himself “Simon Wilmer, Gentleman.” He left his large estate to his sons Lambert Wilmer and Simon Wilmer, and to his daughters, Francis Wilmer, who married Samuel Wickes, Mary Wilmer and Rebecca Wilmer. To Lambert Wilmer he left 1450 acres, parts of “Arcadia,” “Wilmer’s Purchase” and “Quick Level.” To Simon Wilmer about the same number of acres, parts of “Stepney” and “Tilghman and Foxley Grove” and the grist and saw mill at Ratcliffe Creek. To his daughter Frances Wilmer he left “Buckingham,” 500 acres. To Mary Wilmer “Wilmer’s Farms” 500 acres, and to Rebecca Wilmer part of “Tilghman and Foxley Grove” 500 acres. He leaves “Chigwell,” 200 acres and £60 sterling for an unborn child.

⁵⁴ Gov. Francis Nicholson.

⁵⁵ Kent County Court Proceedings, Oct. 30th, 1696, Liber A.

⁵⁶ *Annapolis Wills*, Vol. XI, f. 85.

PROCEEDINGS OF THE SOCIETY

October 7th, 1920. A Special Meeting of the Maryland Historical Society was held tonight at 8 o'clock. The meeting was called to order by President Harris, who stated that the purpose was to receive a portrait of His Eminence Cardinal Mercier, to be presented by friends of the Society. The President then recognized Governor Goldsborough, who spoke as follows:

"Mr. President, Your Eminence Cardinal Gibbons, Ladies and Gentlemen:

"As Chairman of the Citizens' Committee, representing the people of Maryland, to greet Cardinal Mercier on the occasion of a visit to His Eminence Cardinal Gibbons, in September, 1919, I have been directed by a number of friends of the Maryland Historical Society to present to it this portrait of the illustrious Archbishop of Malines, together with Commemorative Volumes, recording the events of his stay in this City and State, with the request that one of the Volumes be transmitted to that distinguished Prelate and world's hero, through the hands of Maryland's beloved citizen and servant of God, Cardinal Gibbons.

"Therefore, it is now my pleasure and duty to present this portrait and these Volumes."

In accepting the gift President Harris spoke as follows:

"The Maryland Historical Society accepts, Mr. Chairman, with the highest appreciation and the most sincere thanks, the splendid portrait of Cardinal Mercier and the interesting itinerary of his visit to the United States which are presented to it through the generosity of some of its friends, represented by yourself.

"The portrait will be properly hung and, with the book,

carefully preserved among the most valued possessions of the Society.

"We have all been quick to see that out of the chaos of a world at war there has come forth much that was evil, but we have perhaps not so readily recognized how much more that was pure and good, generous and self-sacrificing has been disclosed by the same cause. From all sorts and conditions of men and women,—from all callings and professions,—from the priesthood and from the laity,—there came unnumbered hosts ready and eager to prove by personal labor, sacrifice and devotion that, after all, the heart of the world beats warm and true for suffering humanity.

"Among those heroes whom we delight to honor and whom posterity shall revere, the Cardinal Mercier stands forth as a gallant and shining example of courage, of fortitude, of self-sacrifice, of devotion to duty.

"We congratulate ourselves that His Eminence Cardinal Gibbons not only honors us with his presence on this occasion, but that he will voice, on our behalf, that admiration and respect which we entertain for the character of Cardinal Mercier, but which we feel ourselves so ill-qualified adequately to express."

Whereupon Cardinal Gibbons spoke as follows:

"Mr. Chairman, Friends and Members of the Society:

"I expected to come here as a spectator rather than as a speaker. It gives me great pleasure, however, to be present on this occasion to honor my esteemed friend and colleague, Cardinal Mercier. When Cardinal Mercier planned his visit to this country, he informed me that he intended to make Baltimore his headquarters. In arranging his visit I intended to make it purely a religious one, but upon further thought, knowing the high esteem in which he was held by the citizens of Baltimore, I came to the conclusion that they should be given an opportunity of welcoming him.

"Upon consideration I decided to ask Governor Goldsborough to serve as Chairman of the Citizens' Committee, and a happier

choice could not have been made. His interest and activities were marked throughout with the greatest enthusiasm, and the Cardinal was charmed with his visit. He wrote me after returning to his beloved Malines that although his whole impression of America was a most pleasant one, Baltimore held an especial place in his heart, because there he had felt that he was truly at home, underlining the word home and attaching to it a peculiar significance.

“As a heroic figure in the World War, even Germany recognized the place which he held, when, after her defeat, she placed a sword in his hands, recognizing him as her most worthy opponent.

“As I look around this hall of fame, it seems peculiarly fitting that this portrait should repose here with the papers of Lord Baltimore. Both men hated injustice and loved religious freedom and liberty. Again, my friends, I thank you for the tribute to my friend, Cardinal Mercier.”

The President, after thanking His Eminence, stated that as the purpose for which the meeting was called had been so happily accomplished, it was in order that we adjourn, and he extended a cordial invitation to the members and friends of the Society to avail of this opportunity of inspecting the building.

October 11th, 1920. The regular October Meeting of the Society was held tonight. The President called the meeting to order at 8 o'clock and stated that it had been determined at the last meeting of the Council that the meetings of the Society should begin promptly at the hour for which they were called, and that in the future this would be the rule.

The President expressed his appreciation of his election to the Presidency, and said that he would devote his best efforts to the interest and welfare of the Society. He also brought to the attention of the members the critical financial condition of the Society and that, although the old building had been rented to the State, it had been necessary to borrow over \$20,000 to put the property in order for the tenant, and as the conditions

of rental were that we should furnish heat and janitor service, we will receive little if any revenue from the property for some time to come. The result is, therefore, that we are entirely dependent on the annual dues of the members, which are still at \$5, and the small income from the bequests of some of our friends, started by Mr. Peabody and added to by Mr. Cohen and others.

He stated that we were confronted by a serious problem in a tremendously increased budget for the running expenses of this beautiful and splendidly equipped new home. The Finance Committee, however, have taken the matter in hand, and have prepared a statement of the needs of the Society which they will shortly bring to the attention of the community. The President explained the enlarged work which the Society would be able to undertake were it provided with adequate funds, and made an urgent appeal for the interest of each member in the cause.

The donations and deposits to the Library and Cabinet were described by the Acting Librarian.

Dr. Henry J. Berkley presented a large collection of papers which are designated the Bland papers, being some of the papers of Chancellor Theodorick Bland. The President accepted this donation in the name of the Society.

Twenty-six persons were nominated for membership in the Society.

The following previously nominated persons were elected to membership: Pinckney L. Sothoron, William Buckner McGroarty, Mrs. Stephen H. Lynch, Jr., Albert G. Towers, James Dules Downes.

Mr. Duvall, as Chairman of the Committee appointed by the Chair, consisting of himself, Judge Dawkins and Mr. Ridgely, to prepare a minute on the death of our late Corresponding Secretary, Mr. Spencer, read the following:

“It is with sincere sorrow that this Society notes the death of its venerable Corresponding Secretary, Colonel Richard Henry Spencer. He died at his apartments in The Earl Court,

in this city, on September 24th, 1920, and was buried in Loudon Park Cemetery. Had he lived to the 26th day of the coming November, he would have completed his eighty-seventh year. He was a direct descendant of Robert Spencer, who settled on the Miles River, in Talbot County, Maryland, in 1678, and who with his brother, Nicholas Spencer, and his kinsmen John and Lawrence Washington, came to America in 1657 from Caple, Bedfordshire, England. He was of the distinguished family of that name, which for so many centuries has been conspicuous in English history.

“Colonel Spencer was the son of Henry Spencer and Anna Matilda Martin, his wife, both prominent residents of Talbot County, Maryland. He was prepared by his uncle, the Rev. Joseph Spencer, D.D., rector of St. Michael’s parish, for St. James’ College, near Hagerstown, Maryland, which he entered in 1854. Three years later he began the study of the law at Easton, Maryland, and graduated with the degree of LL. B. in July, 1859, from the Law School of Harvard University, but had been admitted to the Bar of Talbot County in the preceeding May.

“In October, 1850, he went to St. Louis, Missouri, where he was admitted to the Bar of that city, and practiced his profession there and before the Court of Appeals of Missouri. He removed to New York City in 1878, and became a member of that Bar, and also of the Bar of the Supreme Court of the United States.

“In politics he was a Democrat, and while he never stood for election to any office, he was appointed to a number of important positions, among them the office of Assistant United States District Attorney for the Eastern District of Missouri, and to the Board of Commissioners of Public Schools of the City of St. Louis. He was commissioned by the Governor of his adopted State a Colonel on the staff of General A. J. Smith of the Missouri State Guard, at the time of the riots in July, 1877.

“From early life Colonel Spencer took much interest in religious and philanthropic movements. He was for several terms a vestryman of St. George’s Protestant Episcopal Church

of St. Louis, and a member of the Diocesan Convention of Missouri. He was one of the organizers of St. Luke's Hospital of St. Louis.

"On November 24th, 1880, Colonel Spencer married in this city, Alice Herbert Carlyle Whiting, daughter of George William Carlyle Whiting of Loudoun County, Virginia, and Mary Anne DeButts Dulaney, his wife. They had no children.

"With relief from the cares of professional activity came fuller opportunity to gratify his literary tastes, and his latter years were occupied in the indulgence of his keen interest in history, biography, and genealogy. He wrote a number of entertaining articles published in Baltimore newspapers on family history, including the following: "The Countess of Warwick—The Last of the Despercens," and a "History of the Martin Family of England and Talbot County, Maryland," and published several books, among them "The Carlyle House and Its Associations" and "Memoirs of the Hon. Nicholas Thomas of Talbot County." He also contributed at different times to the *Maryland Historical Magazine*, articles entitled "The Provincial Flag of Maryland," "Hon. Daniel Dulany (the Elder)," and "Hon. Daniel Dulany (the Younger)." Among his other writings Colonel Spencer published in the Baltimore *Sun* numerous poems of merit and distinctive style, and it is regrettable that he did not gather them into a more permanent form. All of his historical writings display thought and research, and that care and attention which a conscientious author of taste and cultivation always bestows on his writings. He never made a historic or other statement of fact unless he had convinced himself of the correctness of it, sometimes expending days of thought and research in his efforts to get the truth. His style was direct and chaste, but at the same time replete with feeling controlled by good judgment, and was invariably adapted to the subject in hand.

"He became an active member of this Society April 13th, 1891, on the nomination of the late Judge Albert Ritchie, and was elected a member of the Committee on Membership in 1907, and Corresponding Secretary of this Society in 1909,

which latter position he held at the time of his death. In both positions he rendered most efficient and valuable services. As Corresponding Secretary he was assiduous and painstaking in the discharge of every duty, and as a member of the Society he never lost an opportunity to make known the rich store of historical and biographical data owned by the Society, or to urge upon the officers and members the necessity of an adequate endowment.

“His conspicuous courtesy and kindliness of heart rarely failed to impress every one who had the good fortune to come in contact with him, while his knowledge of the advantages and possessions of the Society, combined with his cordiality and courteous manner and wide acquaintance among the best citizens both within and outside of this State, enabled him to present the strongest appeal for new members. The records show that a very considerable part of the large increase of membership of the Society within the last ten years is due to his efforts.

“His most striking personal characteristics were enthusiasm, modesty, cheerfulness and courtliness.

“In his death the Society has lost a valuable and highly esteemed officer.

(Signed) Richard M. Duvall, *Chairman*,
Walter I. Dawkins,
Ruxton M. Ridgely.”

Mr. Duvall moved that a copy of this minute be spread upon the records of the Society, and that a copy be sent to Mr. Spencer's widow with an appropriate letter from the Recording Secretary. The motion was carried.

In putting the motion the President said that members of the Council who had been brought into perhaps closer contact with Mr. Spencer than other members of the Society, heartily endorsed everything set forth in the minute which had just been read, and that they are very conscious of the loss sustained in the death of the late Corresponding Secretary. He added that it was the sense of the last meeting of the Council that the

office left vacant by Mr. Spencer's death should not be filled until the annual meeting.

Under the head of Necrology the death of the following members was reported: Mrs. Reuben Foster, Louis F. Young, Professor Oliver Herman Bruce, Mr. Somervell Sollers, Mr. Richard H. Spencer and Mr. Frederick W. Story.

Mr. Dielman then read the following extract from the minutes of the last meeting of the Library Committee, upon the death of the late Frederick W. Story, and the same was ordered to be spread upon the minutes and a copy sent to Mrs. Story.

"At a meeting of the Library Committee of the Maryland Historical Society, held on September 29, 1920, the following minute was entered on its records and ordered to be presented to the stated meeting of the Society:

"In the death of our esteemed colleague, Frederick W. Story, Esq., on September 14, 1920, this Committee has been deprived of the counsel and co-operation of one of its most active, influential and valued members.

"Born in Boston sixty-eight years ago, Mr. Story came to Baltimore about 1880. He was elected a member of the Society in 1885 and for thirty-three years thereafter was on its Library Committee.

"For many years a member of the Bar Association of Baltimore, in the practice of his profession he was acknowledged to be without a peer in the field of titles and descents. His knowledge of genealogy and heraldry was profound, and he could not only blazon a coat of arms in a manner worthy of a professional limner, but could also interpret armorial bearings with the certainty and skill of a herald.

"A devout churchman, and for many years a vestryman of St. Michael's and All Angels' P. E. Church, he was in his daily life and conversation a singularly chaste and consistent Christian gentleman.

"The addresses he made before the Society were scholarly and interesting, but as they were unfortunately never committed to writing, we have only the memory of the spoken word.

"He gave of his time, his talents and his wisdom to the service of the Society, and we who for years have sat with him round the council table desire to record the sense of great personal loss in his death."

Judge Dawkins spoke of the loss we have sustained in the death of Mr. Story. He paid a high tribute to his indefatigable zeal and interest in the Society, and his wide knowledge of books, particularly those dealing with Baltimore history. Judge Dawkins also spoke of Mr. Spencer and his wonderful knowledge of Maryland history, his love of his native State, and his courtliness of manner which truly classed him as a gentleman of the old school.

Mr. Duvall added his tribute to that of Judge Dawkins concerning Mr. Story, and stated that he knew no man more efficient in his profession nor one who could better analyze a case.

The President stated that he had known Mr. Story for a great many years, and had always entertained for him the highest regard. He said that he had been asked to represent the Society at the funeral of Mr. Story, and had been impressed with the tributes which men from all walks of life had paid "Fred Story."

The President then called for the report of the Special Committee which had been appointed to prepare a minute upon the death of our late President, former Governor Warfield, whereupon Mr. Radcliffe, a member of that committee, reported that such a minute had been prepared, a copy of the same had been transmitted to the family of President Warfield, and it had been published in the *Magazine*.

The business of the evening was then discontinued, and a paper was read by Mr. Lawrence C. Wroth, entitled "Some Notes on William Goddard, Journalist and Printer, of Rhode Island, Pennsylvania and Maryland."

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